



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

DE-9J

MEMORANDUM

DATE: 31 July 1998

FROM: Diane Sharrow *DS* Enforcement and Compliance Assurance Branch
Waste, Pesticides and Toxics Division

TO: Vallan Batka, Water Compliance Branch WC-15J and
David Schulenberg, Wetlands and Watersheds Branch WW-16J
Water Division

RE: Manistique Paper, Inc. (MPI)
Manistique, MI
RCRA ID. NO.: MID 981 192 628

Than you for meeting with Deborah Garber, James Cha and I today. Attached are copies of a few of the background materials on MPI that I have collected over the past few years, primarily from State record review. Most of the attached pertains to the NPDES permit and wetlands. Please let me know if you would like to view any of these additional documents. I will forward a copy of the Final Report from the RCRA sampling visit to MPI in June 1998, within the next two weeks. Please contact me at 6-6199 if you have any questions.

Attachment

cc: Deborah Garber, ORC
James Cha, ORC

w/attachment

Permit No. MI 0003166

MICHIGAN WATER RESOURCES COMMISSION
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; the "Act"), and the Michigan Water Resources Commission Act, as amended, (Act 245, Public Acts of 1929, as amended, the "Michigan Act"),

MANISTIQUE PULP AND PAPER COMPANY
Division of Field Enterprises, Inc.

is authorized to discharge from a facility located at
Manistique Pulp and Paper Company
S. Mackinac Street
Manistique, MI 49854

to receiving water named the Manistique River


in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I and II hereof.

This permit shall become effective on the date of issuance and shall be final in the absence of a request for a hearing filed within 15 days after receipt thereof.

This permit and the authorization to discharge shall expire at midnight, June 30, 19 81. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Michigan Water Resources Commission no later than 180 days prior to the date of expiration.

This permit is based on the company's application dated March 29, 1979 and shall supersede any and all Orders of Determination, Stipulation, or Final Orders of Determination previously adopted by the Michigan Water Resources Commission.

Issued this 1st day of December, 1980, for the Michigan Water Resources Commission, superseding NPDES Permit No. MI 0003166 expiring September 30, 1979.


Robert J. Courchaine
Executive Secretary

6. Residual or Sludge Disposal

Solids, sludges, or residuals resulting from wastewater treatment shall be disposed of in accordance with a "Residuals Management Plan", which shall be submitted to and receive the approval of the Chief of the Water Quality Division.

Such plan shall document the characteristics of the residuals or sludges including laboratory analyses and provide a method for disposal which will not result in unlawful pollution of the air, surface waters or ground waters of the state nor create unlawful nuisance conditions.

If the permittee desires to make any substantial changes in the plan, such proposed changes shall be submitted to and approved by the Chief of the Water Quality Division prior to implementation.

The disposal of solids, sludges, or residuals shall be in accordance with Act 641, P.A. of 1978, "Solids Waste Management Act."

7. Special Conditions

"This permit may be modified, or, alternatively, revoked and reissued, to comply with any applicable effluent limitation issued pursuant to the order the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et. al. v. Russell E. Train, 8 ERC 2120 (D.D.C. 1976), if the effluent limitations so issued:

- (1) is different in conditions or more stringent than any effluent limitation in the permit; or
- (2) controls any pollutant not limited in the permit."

Additional Monitoring by Permittee

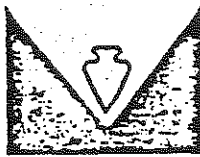
If the permittee monitors any pollutant at the locations(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Operating Report. Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Michigan Water Resources Commission.

C. SCHEDULE OF COMPLIANCE

1. The permittee shall continue to operate the installed facilities to achieve the effluent limitations specified for outfalls 004, 005, 006, and 008.
2. The permittee shall comply with the requirements of Section 10, Part II-A in accordance with the following:
 - a. Submit plans for approval to the Chief of the Water Quality Division necessary to comply with the primary power provision of Section 10 in Part II on or before N/A.
 - b. The permittee shall comply with the requirements of items 10a or 10b contained in Part II on or before N/a.
Notwithstanding the preceding sentence, the permittee shall at all times halt, reduce, or otherwise control production in order to protect the waters of the State of Michigan upon the reduction or loss of the primary source of power.
3. The permittee shall achieve compliance with the Residual or Sludge Disposal Requirements of Part I-A on page 7 of 9 in accordance with the following schedule. All submittals shall be to the Chief of the Water Quality Division.
 - a. On or before January 31, 1981 submit and receive approval of a "Residuals Management Plan."
 - b. On or before April 30, 1981 certify in writing that the approved "Residuals Management Plan" has been implemented.
4. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.



MANISTIQUE PULP AND PAPER COMPANY
MANISTIQUE, MICHIGAN 49854

TELEPHONE: (906) 341-2175

Leif Christensen
Vice President-General Manager

September 30, 1980

Mr. Joe Bal, P.E.
District Engineer
Water Resources Commission
203 State Office Building
Escanaba, Michigan 49829

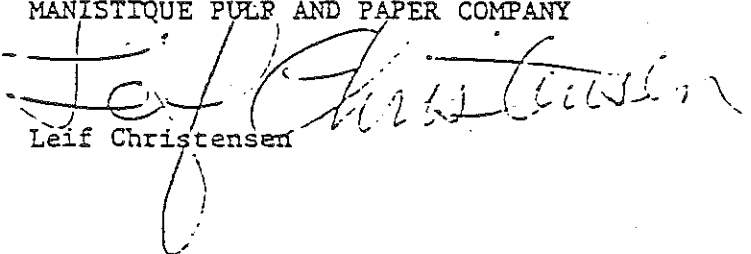
Dear Joe:

Enclosed is a copy of our Residuals Management Plan.

Although the NPDES Permit has not been issued, Dave Williams advised me to submit the enclosed Residual Management Plan to you anyway.

Sincerely,

MANISTIQUE PULP AND PAPER COMPANY


Leif Christensen

LC:blr

Enc.

cc: Jim Cook
Anthony J. Palladino, P.E.

203 State Office Building
Escanaba, Michigan 49829
April 22, 1981

Mr. Leif Christensen
Vice President-General Manager
Manistique Pulp and Paper Company
Manistique, MI 49854

Dear Mr. Christensen:

The Residuals Management Plan which your company presented under your NPDES permit requirement and which is your present method of sludge disposal is hereby approved on an interim basis.

In order to fully evaluate the impact of your sludge disposal on the environment, we will require some ground water samples to be collected in the vicinity of the sludge disposal site to determine if the sludge has had any effect on the ground water in the area. We will be in contact with you to outline an acceptable program for this requirement.

Sincerely,

WATER QUALITY DIVISION

Joseph Bal, P.E.
District Engineer

lh

cc: S. Ross

Regional Office
P. O. Box 190
Marquette, Michigan 49855

October 13, 1981

Mr. Thomas E. Halvorsen
Rte. 1, Box 1073, M-94
Manistique, MI 49854

RE: Disposal Areas, Hiawatha Township
Schoolcraft County

Dear Mr. Halvorsen:

This is in reference to your letter to the Resource Recovery Division concerning disposal areas located in Hiawatha Township.

The disposal area operated by Manistique Pulp and Paper Company is handled by the Water Quality Division under an expanded groundwater discharge NPDES permit.

The disposal area operated by the City of Manistique located approximately 9 miles north of the City on M-94: The disposal area is a licensed solid waste disposal area under Act 641, P.A. of 1978 as amended. A copy of the act is enclosed for your use and reference.

A brief history of the facility is as follows: The disposal area was developed in 1974 under the requirements of Act 87, P.A. of 1965 and rules thereunder (Act 87 was repealed by Act 641 in 1979). Monitor wells were installed as indicated on the plans and specifications. During the operation of the disposal area one well was destroyed and two others were silted in. The remaining well was sampled by the City and a copy of the results submitted to our office. Staff has worked with the City of Manistique in an effort to repair and/or replace the non-operating wells. The turn over of city managers has hindered these efforts but finally the wells were replaced and are now operating and being monitored. The monitor wells are to be sampled quarterly, every three months by the City and the results submitted to our office for review. Cory Laboratories Inc. has been contracted by the City of Manistique to do the testing of the water samples. Staff has received the first sampling results of the new wells and is presently reviewing them.

You stated that the local health officer indicated "he has no say in the matter", this is because the health department did not want to become involved in the solid waste management program and be certified under the requirements of Act 641, P.A. of 1978 by the State of Michigan.

Mr. Thomas E. Halvorsen
Page 2
October 13, 1981

The City of Manistique is presently developing a solid waste management plan as required under Act 641. This plan will hopefully address and meet the needs of Schoolcraft County's solid waste disposal problems.

Hopefully this has answered your questions as outlined in your letter. If we can be of any further assistance, please contact our office.

Sincerely,

Earle H. Olsen, R.S.
Region I Supervisor
RESOURCE RECOVERY DIVISION

By: Robert Schmeling II
Region I Environmental Engineer

RS:11
Enclosure
cc: T. Work
J. Bal

Rydquist

STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T. MASON BUILDING
BOX 30028
LANSING, MI 48909

RONALD O. SKOOG, Director

November 2, 1984

Mr. Leif Christensen,
President and General Manager
Manistique Papers, Inc.
P.O. Box 111
Manistique, Michigan 49854

RE: Manistique Papers, Inc.
NPDES Permit #MI 0003166

Dear Mr. Christensen:

Thank you for taking the time to meet with Jack Rydquist, Jim Oakwood and myself on October 10, 1984, as we evaluated the conditions of wastewater discharge impact on the Manistique River. We recognize the concern which you have expressed about the visual impact of the existing discharge as these conditions are made more accessible through completion of the U.S. 2 bridge. The existing discharge represents an unacceptable condition which we must mutually seek to control.

You have outlined a proposed remedy which would involve the installation of a diffuser pipe upstream from the existing point of wastewater mixing with the river. We are not aware; however, that specific review or permitting actions have been completed to assure that the proposal will be fully environmentally acceptable. Basic program concerns lie in the areas of construction within the flood plain of the Manistique River and related erosion issues, and the relocation of discharge point and water quality impact of the process wastewater discharges governed by National Pollutant Discharge Elimination System (NPDES) permit.

Your plant is currently operating under the terms of NPDES permit #MI 0003166 issued December 1, 1980, which expired June 30, 1981. Drafting of a new permit is being undertaken and you are requested to complete the enclosed application so that an up-to-date permit can be issued by the Michigan Water Resources Commission. The application should include current information on production and water use and should include your proposal for diffuser discharge at the location proposed.

November 2, 1984

To speed assessment of the diffuser proposal and authorization for discharge via this outlet, details of the physical structure and your projections of diffuser performance should be submitted for review. This should be sent to the attention of Mr. Jack Rydquist, District Supervisor, Surface Water Quality Division, Marquette Regional Headquarters, 1990 U.S. 41 South, Marquette, Michigan 49855.

In a similar manner, details of construction will need to be reviewed by representatives of the Land Resource Programs Division at the Marquette Office, as they assess the proposal for flood plain construction and erosion protection. As we suggested, you should discuss details of necessary permits with Mr. Roger Hack or Mr. Claude Schmitt of the Marquette Office at (906) 228-6561.

Upon receipt by our Permits Section of your completed NPDES permit application we will attempt to process the permit as quickly as possible to assure that an effective control program is completed as rapidly as possible. Thank you for your cooperation in resolving this matter.

Sincerely,

Paul A. Blakeslee, Chief
Compliance Section #1
Surface Water Quality Division
517-373-4621

Enclosure

cc: P. Zugger
J. Rydquist
R. Hack/C. Schmitt
W. McCracken/L. Thomas

Anthony J. Palladino

CONSULTING ENGINEER
1315 GRAND AVE. KALAMAZOO, MICHIGAN 49007
(616) 342-9297

RECEIVED

June 22, 1985

JUN 23 1985

Memo to Leif Christensen:

Leif:

MANISTIQUE PAPERS, INC.
Manistique, Mich. 49854-0111

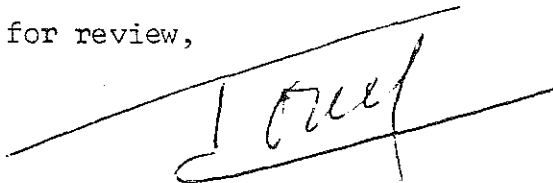
In accordance with your request of June 14 I have the following comments on the latest version of the NPDES draft permit:

- 1) Although DNR honored the request in your letter of Feb. 22 to Thomas Knueve for increased flow allowance, your other requests (elimination of testing for Cd, Cu, and D.O., and increased BOD and S.S. allowances) were not honored (although D.O. limit was reduced from 4.0 mg/l to 3.0 mg/l). In regard to the latter I believe that supplemental aeration will be required during hot weather periods to achieve 3.0 mg/l D.O. when the aeration ladder is preempted by the proposed pipeline to the river.
- 2) The draft permit imposes several special conditions (which had not been included in the Jan. 24 version of the draft permit, which we thought was quite acceptable). The most drastic of these conditions is on p. 10 of 14 involving the program for residuals (sludge) management. This has long range implications, and could involve considerable cost. We might request that this be excluded from the permit, however, the chances of this being removed are slim.
- 3) Regarding the GC/MS Scan requirement on p. 8 and 9 of 14 EPA regs have exempted Deink Mills from testing for Pesticides, therefore we should request removal of this portion of the GC/MS Test.
- 4) The schedule of compliance for Special Condition-Elimination of Unnatural Turbidity requires that the pipeline to the river be installed this summer or fall. If this timetable cannot be met we should request schedule modification.
- 5) The other special conditions, although cumbersome, can be met.
- 6) Regarding the "mixing zone" (last page) for toxic pollutants, it would be beneficial if this were changed to 50% or 100% of the design flow of the river. This would, in effect, increase the allowable discharge limits for these pollutants.

Although the DNR may not be willing to change any of the conditions discussed above, I believe the points should be raised with them.

I appreciate the opportunity for review,

With best wishes,



Marquette, MI

December 4, 1985

Scheele, R. & C.

TO: Tim McGarry
Hazardous Waste Division

FROM: Steve Casey
Surface Water Quality Division

SUBJECT: Manistique Papers De-inking Wastes

At your request, I have reviewed the Surface Water Quality Division files from 1950-1979. The following is a brief history of the treatment of de-inking wastewater at the mill. I have attached relevant material from our files. The method of disposal of de-inking sludges is not clearly described in our files. I suggest that you ask Earle Olsen, Ground Water Quality Division, or the local health department to review their files on this subject if you need additional information.

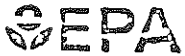
The mill began de-inking waste paper in 1959. Two treatment ponds for the de-inking wastewater were installed in approximately 1960-61. There are no maps in our files showing the location of these lagoons. Mention is made of sludge being removed from these lagoons in 1961, but there is no discussion of where it went. In August 1967 the mill blocked off an unused slip along the Manistique River and began using it to settle their de-inking wastewater. In 1969 the slip was deepened and the berms were raised in response to Michigan Department of Natural Resources pressure to improve waste treatment. In 1973 a primary clarifier and an air floatation unit were completed. These improvements included sludge dewatering equipment. I find no mention of where the dewatered sludge was disposed.

An August 1973 point source study shows this waste treatment system. The final discharge is to the river via the slip used previously for waste treatment. A sludge pond was in use at this time and was located just south of the clarifier along the river bank. In this and all subsequent studies, PCB's were non-detectable in the mill's discharge. In August 1975 the company obtained a permit from Land Resource Programs Division to construct a pipeline across the "de-ink slip". In February 1976 Joe Bal recommended that the sludge lagoon be cleaned or backfilled and stabilized to prevent sludge from leaching to the river. By July 1977 the secondary treatment system was completed.

I am looking forward to receiving a copy of the results from our October sampling. If you have any questions, please call me.

SC:dmk

cc: Earle Olsen

United States Environmental Protection Agency
Washington, D. C. 20460

NPDES Compliance Inspection Report

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

Section A: National Data System Coding

Transaction Code: 1 N 2 5 NPDES: 3 M 1 I 10 10 10 13 11 6 6 11 12 8 6 6 7 6 11 17 yr/mo/day Inspection Type: 18 R Inspector: 19 S Fac Type: 20 2

Remarks

Reserved: 67 Facility Evaluation Rating: 70 4 BI: 71 QA: 72 Reserved: 73 74 75 80

Section B: Facility Data

Name and Location of Facility Inspected

Manistique Paper Company
P.O. Box 309
Manistique, MI 49854-0111Entry Time ☒ AM ☐ PM
10:30

Permit Effective Date

9/85

Exit Time/Date
2:00 p.m.

Permit Expiration Date

9/90

Name(s) of On-Site Representative(s)

Jim Cook

Title(s)

Superintendent

Phone No(s)

(906) 341-2175

Name, Address of Responsible Official

Leif Christensen

Title

President

Phone No.

(906) 341-2175

Contacted

☒ Yes ☐ No

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	S	Flow Measurement		Pretreatment	S	Operations & Maintenance
S	Records/Reports	S	Laboratory	S	Compliance Schedules	S	Sludge Disposal
S	Facility Site Review	S	Effluent/Receiving Waters	S	Self-Monitoring Program		Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

The purpose of the inspection was to 1) meet with the USEPA inspector; 2) inspect the river bank stabilization project; 3) examine the 10/85 soil samples with Leif (for sludge content); 4) examine the site of the sewer break.

Phil Gerhig, USEPA had just completed his inspection at my arrival. He reported that all was in good order. The river banks had been stabilized per our directions. All the tag alders had been cut down during the process of placing the stone. The effluent plume was larger than normal--approximately 50'x300'. Leif, Jim and I looked at the 10/85 soil samples. With two possible exceptions, all samples had been properly characterized. One sample characterized as sludge had about 40% sludge. Another sample not characterized as sludge also contained about 40% sludge. Leif does not feel that the absence of fiber in these sludges necessarily indicates that they came from the de-ink process. He feels that the fiber may have decayed over time.

Jim showed me the site of the sewer line break. As a result of the break and repairs, the vacuum pump seal water now is routed to the treatment system. Jim will have this corrected

Name(s) and Signature(s) of Inspector(s)

Steve Casey

Agency/Office/Telephone

MDNR/Marquette/906-228-6561

Date

7/3/86

Signature of Reviewer

Agency/Office

Date

Regulatory Office Use Only

n Taken

None needed.

Date

Compliance Status

☐ Noncompliance
☒ Compliance

Manistique Paper Company
Section D: Summary of Findings/Comments
July 3, 1986

after the rebuild is complete. The rebuild is now scheduled for August.

Finally, Jim and I inspected the landfill. The landfill appears to be well operated. The surrounding land appears to be low--this may pose a problem for expansion under Act 641.

INTEROFFICE COMMUNICATION

June 17, 1986

TO: File-Manistique River Slips, Schoolcraft County
Manistique Pulp and Paper Co. Dump, Schoolcraft County

FROM: Dianne Roycraft, Site Assessment Unit, R.A.S., GQD

SUBJECT: Act 307 Listings

The Manistique River Slips have been identified as a site of environmental contamination and have been included in the Act 307 priority lists since the program's inception due to the known PCB contamination of fish and sediments within the Manistique River immediately downstream of old U.S. 2 in Manistique. Staff's review of Department files confirms the presence of PCB's within old paper product sludges on Manistique Papers, Inc. property. Staff of our Hazardous Waste Division discovered extremely high levels of PCB's within soils and sludges during sampling at Manistique Papers, Inc. in October 1985, later confirmed by staff of the Surface Water Quality Division in May 1986. During the latter sampling, Jim Cook of Manistique Papers, Inc. split samples obtained from the sludges on their property.

The area highly contaminated with PCB's (the former de-inking lagoon) has been observed to be eroding from Manistique Papers, Inc. property into the Manistique River. Therefore, we feel it is appropriate to identify paper products as a source of environmental contamination in the Manistique River.

The sludge dredged from the papermill's former de-inking lagoon and primary treatment area during the 1970's was hauled to their dump in Hiawatha Township, identified as Manistique Pulp and Paper Dump in the Act 307 priority list. In view of the high levels of PCB's within the old paper mill sludges at the paper mill, the fact that sludges prior to the 1970's were taken to this dump, and the following concerns raised by our own staff as well as the Luce-Mackinac-Alger-Schoolcraft District Health Department, I support of this dump remaining on the Act 307 priority list.

Wetlands are located on the north and east sections of the property used for disposal of sludges by Manistique Papers, Inc. The Manistique River borders the dump on the east. The Indian River, less than 1/2 mile south of the dump, is utilized by the City of Manistique for their municipal water supply. Local subsurface conditions at the dump are conducive to the transportation of contaminants through soils into groundwater and nearby surface waters. Staff inspections have indicated the disposal of several barrels of unknown contents at the dump actively used by Manistique Papers, Inc. which is currently permitted solely for disposal of papermill sludges free of PCB's. Pending receipt of this company's hydrogeologic study as required by Act 641, the Manistique Pulp and Paper Dump will continue to be listed as a site of environmental contamination, per Act 307.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

DATE: 29 JUL 1986

SUBJECT: Compliance Evaluation Inspection - Manistique Papers, Inc., Manistique, MI B18545

FROM: Philip E. Gehring, Environmental Scientist
THRU: A.R. Winkhofer, Chief, EDO *AW*

TO: Compliance Tracking Unit, 5WQC
ATTN: Arnold Leder

In response to your request a Compliance Evaluation Inspection was performed at the subject facility July 1, 1986. The purpose of the inspection was to conduct a general NPDES compliance inspection.

This facility makes specialty papers using only recycled raw materials. The raw materials are purchased presorted to meet required specifications. This allows the requirement of a minimum deinking of the pulp produced. Mr. James Cook, Waste Treatment Supervisor, provided a tour of the waste treatment system. Waste streams are separated into two primary clarifiers. One clarifier receives waste water from the paper machines and general mill wastewater, the other clarifier receives wastewater from the pulp and deinking processes. Both waste streams have polymer added and the pulp and deinking wastes also pass through a mixing or floc tank prior to the primary clarifier. The effluents of the two primary clarifiers are combined and transferred to a 180' dia. aeration basin equipped with seven, 350Hp aerators. After about a 10 hour detention time the waste water passes through secondary clarification. Waste waters ^{are} discharged through a 48" rectangular weir to the Manistique River through outfall 006. Since this permit became effective the site of outfall 006 has been relocated. The relocation was from a backwater area to a point upstream and in the main flow of the river. This allows for a quicker mixing of the effluent which reduced the nuisance factor of discoloration.

On the day of the inspection the treatment system was operating under normal conditions and production levels. Some discoloration was noted in the discharge of treated process waste water, outfall 006. This discoloration quickly dissipated downstream of the discharge. No foam or floating debris was noted. Other outfalls listed in the permit are outfalls 004 & 005. Outfall 004 is non-contact cooling water which discharges to the Manistique River through a 12" rectangular weir with end contractions. This discharge was clear and free of visible floating debris or oil. Outfall 005 would be the process waste discharge when secondary treatment was not operating. No flow was observed from outfall 005 at the time of this inspection.

WATER QUALITY DIVISION
DEPARTMENT OF NATURAL RESOURCES

R 4887

TELECON

DATE: 9/5/86

TO: Mamstique Papers Inc, File

*list of names
2-3 days*

FILE NO.:

FROM: Steve Casey

SUBJECT: Discussion of Public Meeting with J. Cook

I called Jim to get his reaction to several comments made at the public meeting.

1. The mill did put sludge behind Harbor Towers about 10 years ago. Approximately 2-3 days of sludge went there at the City's request, as they needed fill. The local health department gave a verbal O.K. provided some minimum isolation distance from the river was observed.

2. Sludge was not placed in the Indian River, but near it.

Jim suspects the Carlsons are upset about losing their court case on this issue.

3. "Doc Walters" ~~is~~ made the comment on Berry Chemical Co.

4. The mill has no intention of expanding their landfill operation to get closer to the river. Jim doesn't know where this idea came from. They intend to stay East of the RR grade and North of Frankovich Rd. Wells will be drilled this year if GWQD approves the sampling plan & well placement scheme.

Jim will send me a copy of local news articles & asked that I send a copy of the attendee list.

MESSAGE REPLY

RECEIVED JUN 22 1987

TO Mark Feldhauser
DNK District office
Newbury

FROM LUCE MACKINAC ALGER SCHOOLCRAFT
District Health Department, County Building
MANISTIQUE, MICHIGAN 49854
Phone: 341-6951

SUBJECT Manistique Papers Inc, Property, Schoolcraft Co Date 6/19/87

MESSAGE We have received a complaint concerning filling of wetlands area at the sludge disposal site for Manistique Papers (see enclosed maps). I don't know what's going on in the area, please tell me or any information you may have. Perhaps next time you are flying the Mstg area would be a good time to check. Thanks,

Signed *Albert M. ...*

REPLY

Signed _____ Date ____/____/____

Future Correspondence

PA		NPDES Compliance Inspection Report		Form Approved CMB No. 2040-0001 Approval Expires 7-31-85	
Section A: National Data System Coding					
Transaction Code 1N 2S		yr/mo/day 10/17/87		Inspection Type 18 R	
Inspector 19 S		Fac Type 202		Remarks <i>Mining - Republic</i>	
Reserved					
Facility Evaluation Rating 57 69 70		BI 71 72		Reserved 73 74 75 80	
Section B: Facility Data					
Name and Address of Facility Inspected <i>[Redacted]</i>		Entry Time <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM 9:30		Permit Effective Date	
Phone No. 854-0111		Exit Time/Date 1:00 p.m.		Permit Expiration Date	
Name(s) of On-Site Representative(s) Jim Cook Dennis Bittner		Title(s) Environmental Supervisor Consultant		Phone No(s)	
Name, Address of Responsible Official Leif Christensen		Title President		Phone No. [Redacted]	
				Contacted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Section C: Areas Evaluated During Inspection (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
S Permit		Flow Measurement		Pretreatment	
S Records/Reports		Laboratory		Compliance Schedules	
S Facility Site Review		Effluent/Receiving Waters		Self-Monitoring Program	
				Operations & Maintenance Sludge Disposal Other	
Section D: Summary of Findings/Comments (Attach additional sheets if necessary)					
<p>The purpose of this visit was to inspect erosion control measures along the river, discuss the report submitted by Bittner Engineering, and collect soil samples near Edison Soo for PCB's. When I arrived, Leif gave me a company newsletter discussing PCB and the mill, asking for comments. He provided copies for Frank Opolka and Jack Rydquist. Jim, Dennis, and I discussed the report on PCB contamination at the mill which Dennis submitted last spring. I said a comment letter is coming asking for additional details. We then walked the stabilized bank. The river level is down one or more feet from last year. The rip-rap appears to be doing an effective job of preventing erosion. The effluent plume was smaller than usual, about 20 feet in diameter. We then sampled in the vicinity of Edison Sault Electric's substation. Eight samples were taken using a hand auger. Dennis also obtained eight "split samples". No attempt was made to homogenize the samples. No rinsing of the auger was practiced between samples. This technique is adequate for screening the site to see if PCB is present. Where oil was obvious on the soil surface, extra surface soil was placed in the sample jars.</p> <p style="font-size: 2em; text-align: center;"><i>Which one? Janis</i></p>					
Name(s) and Signature(s) of Inspector(s) Steve Casey		Agency/Office/Telephone MDNR/Marquette/906-228-6301		Date 9-09-87	
Signature of Reviewer <i>[Signature]</i>		Agency/Office [Redacted]		Date 10-6-87	
Regulatory Office Use Only					
Action Taken None needed.		Date 9-22-87		Compliance Status <input type="checkbox"/> Noncompliance <input checked="" type="checkbox"/> Compliance	

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

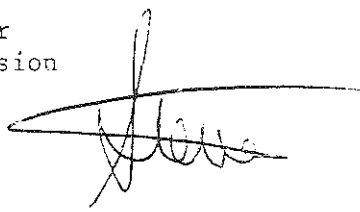
INTEROFFICE COMMUNICATION

Marquette, Michigan
October 7, 1987

TO: Roger Hack, Regional Supervisor
Land and Water Management Division

FROM: Steve Casey
Surface Water Quality Division

SUBJECT: Manistique Papers Solid Waste Site



Manistique Papers, Inc. currently operates a solid waste disposal site for sludge generated in the wastewater treatment plant. This site was approved by the local health department in the early 1970's and has been in use ever since. It is my understanding that the areal extent of the landfill is not now being expanded. All fill is being placed on existing fill. The company is in the process of obtaining an Act 641 license from the Waste Management Division.

The sludge currently being disposed is an impervious mixture of clay and fiber. Vegetation is now growing on inactive areas of fill.

I suggest that you contact Jim Cook at 341-2175 if you wish to view the area.

SC:dmk

c: J. Rydquist ✓
R. Schmeling

INTEROFFICE COMMUNICATION

Marquette, Michigan
April 26, 1988

TO: Robert Schmeling II, Regional Supervisor
WMD

FROM: Carl Smith, Geologist, WMD *Carl L. Smith*

SUBJECT: MANISTIQUE PAPERS, INC.
HYDROGEOLOGICAL STUDY REPORT SUMMARY
T42N, R16W, SEC. 36, C, D, AND SEC. 36, D, C

1. Based on the results presented in the hydrogeological study, I would be willing to agree that the ultimate fate of any contaminants traveling in the groundwater from the site will, in time, vent to the Manistique River to the northeast.
2. According to the groundwater contour map, provided with the hydrogeological study, groundwater does flow into and conversely out of the landfill area. It does appear, however, to have a tendency to be somewhat deflected by the fill material which is in the water table.
3. Bedrock is very close to the surface in this area. The bedrock itself is the Burnt Bluff formation, a series of limestone and dolomite layers with some fracturing in its upper sections. This formation qualifies as a useable aquifer.
4. Land disposal of solid waste is not regulated by NPDES permits. This activity fits the description of solid waste disposal and, therefore, is regulated by Act 641, P.A. of 1978. Specifically, Rule R299.4306(2) stipulates that "all requirements for the protection of surface and groundwater contained in Act 245 and rules promulgated thereunder shall be met." Rule R323.2206 of Act 245 states "A person shall not discharge into the groundwaters any substance that is, or may become, injurious to the public health, safety, or welfare, or to the domestic, commercial, industrial, agricultural, recreational, or other uses which are being or may be made of the groundwaters. Discharges into groundwaters of the state are regulated by permits issued in accordance with sections 7(1) and 8(b) of the act." As outlined in the hydrogeological study, the monitoring system currently in place is showing a pronounced degree of degradation to the groundwater downgradient of the fill area.

In light of the strict non-degradation requirements set forth in Act 245, it would be highly unlikely that the Water Resources

STATE OF MICHIGAN

NATURAL RESOURCES COMMISSION

THOMAS J. ANDERSON
MARLENE J. FLUHARTY
KERRY KAMMER
STEWART MYERS
D. D. OLSON
MOND POUPORE



JAMES J. BLANCHARD, Governor

DEPARTMENT OF NATURAL RESOURCES

DAVID F. HALES, Director

Regional Office
1990 U.S. 41 South
Marquette, MI 49855-9131

January 17, 1989

Mr. Leif Christensen
President and General Manager
Manistique Papers, Inc.
P.O. Box 309
Manistique, Michigan 49854-0111

Dear Leif:

I am writing regarding the regulation of your sludge disposal facility under your NPDES permit.

Over the past four years we have discussed our intention to regulate this facility under Act 641, rather than your NPDES discharge permit. It is our intention to accomplish this when your NPDES permit is reissued (scheduled for July, 1990). At that time, we will discontinue "licensing" your landfill under the NPDES permit, therefore, requiring that it be licensed under Act 641.

Please contact Rob Schmeling of our Waste Management Division if you need additional information on the licensing options available to you.

If you have any other questions, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Steve Casey".

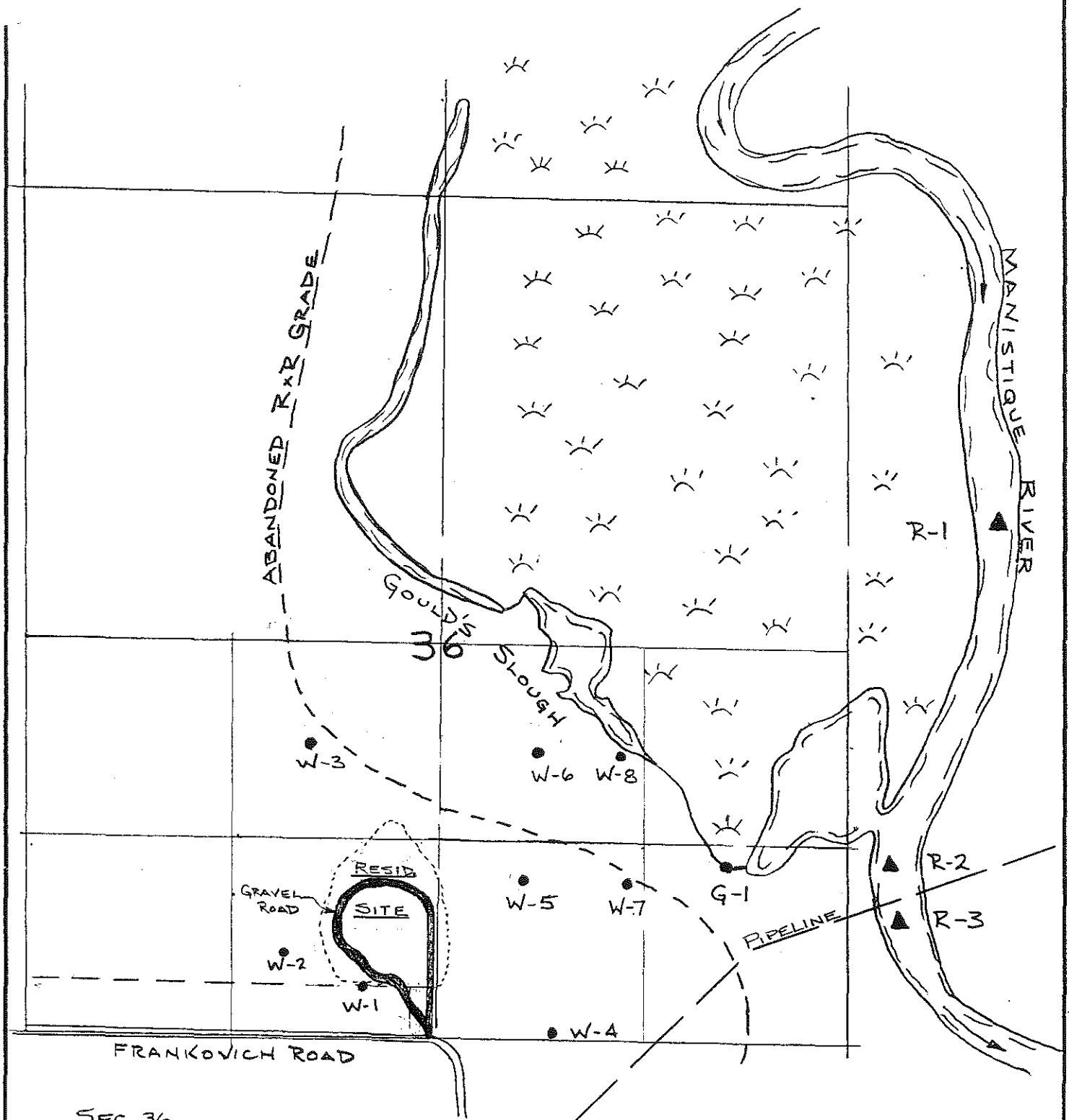
Steve Casey, P.E.
Environmental Engineer
Surface Water Quality Division
906-228-6561

dmk

c: Jim Cook
Frank Opolka
Rob Schmeling
bc: Gary Boersen
Jack Rydquist/File



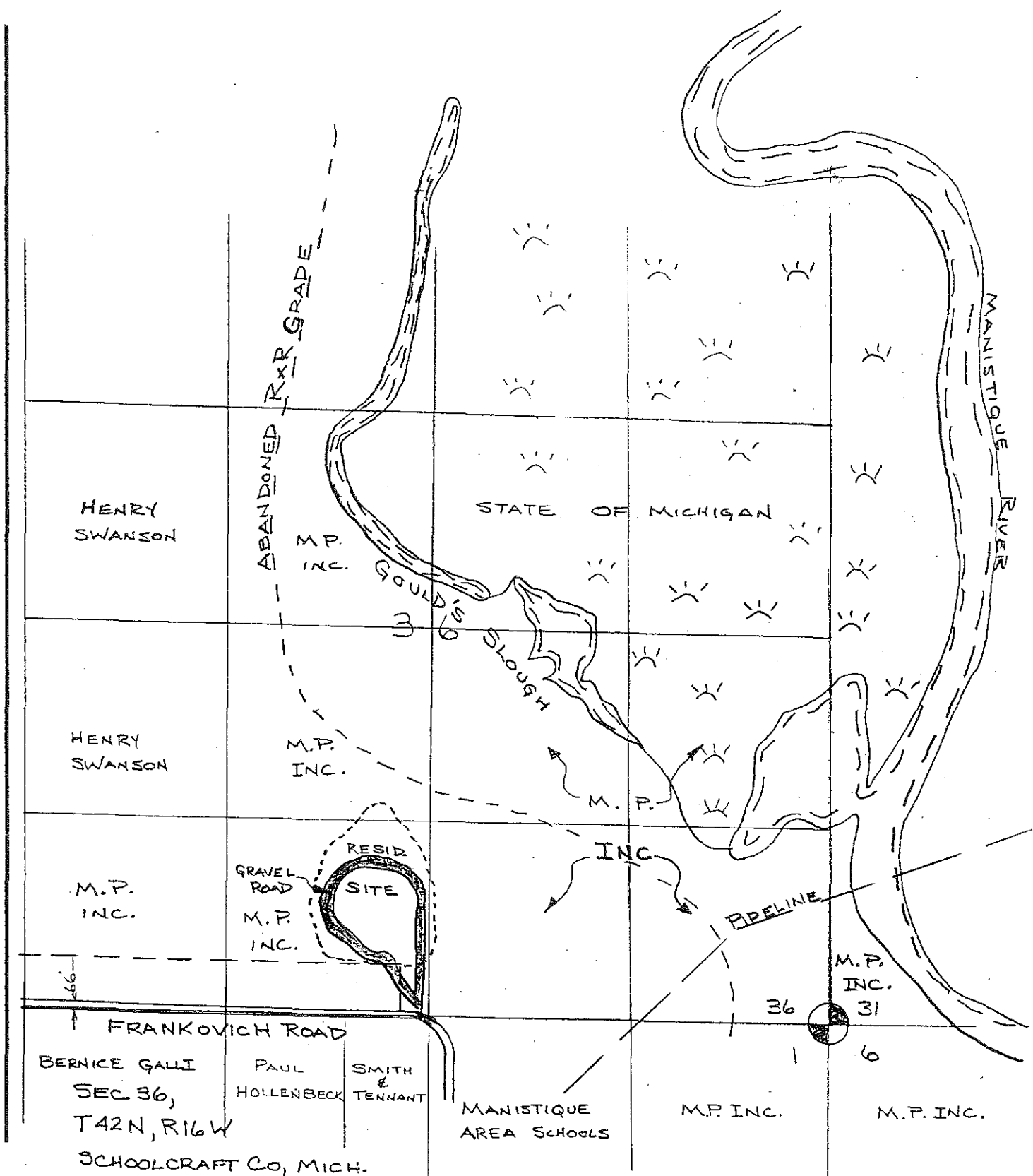
FIGURE 1



SEC. 36,
T42N, R16W
SCHOOLCRAFT CO, MICH.

BITTNER ENGINEERING, INC. 614 Ludington Street Escanaba, Michigan 49829		MANISTIQUE PAPER INC. MONITORING LOCATIONS	CONTRACT
SCALE 1"=880'±	DATE 5-2-89		SHEET
DRAWN HW	CHECKED		1 OF 1

FIGURE 2



BITTNER ENGINEERING, INC.
614 Ludington Street
Escanaba, Michigan 49829

MANISTIQUE PAPER INC.

CONTRACT

SCALE 1" = 880'±

DATE 5-9-89

DRAWN

CHECKED

LAND OWNERSHIP

SHEET
1
OF 2

LAW OFFICES
HONIGMAN MILLER SCHWARTZ AND COHN
2290 FIRST NATIONAL BUILDING
DETROIT, MICHIGAN 48226-3583

TELECOPIER (313) 962-0176
TELEX 235705

MICHIGAN NATIONAL TOWER
SUITE 1400
LANSING, MICHIGAN 48933-1707
TELEPHONE (517) 484-8282

JOSEPH M. POLITO
DIRECT DIAL NUMBER
(313) 256-7532

1655 PALM BEACH LAKES BOULEVARD
SUITE 600
WEST PALM BEACH, FLORIDA 33401-2208
TELEPHONE (407) 693-3400

ONE HARBOUR PLACE SUITE 350
777 SOUTH HARBOUR ISLAND BOULEVARD
TAMPA, FLORIDA 33602-5701
TELEPHONE (813) 221-6600

2250 GLADES ROAD
BOCA RATON, FLORIDA 33433-7399
TELEPHONE (407) 395-7505

RECEIVED FEB 27 1989

February 15, 1989

Mr. David M. Dennis
Assistant Deputy Director
Michigan Department of Natural Resources
1990 U.S. 41 South
Marquette, Michigan 49855

Re: Manistique Papers, Inc. Residuals Management Area

Dear Mr. Dennis:

This letter will confirm the matters discussed in our conference call of February 7, 1989 regarding the above matter. Robert Schmeling, II and Jack Rydquist of the Michigan Department of Natural Resources ("MDNR"), Dennis Bittner of Bittner Engineering, Inc., Leif Christensen and Jim Cook of Manistique Papers, Inc. ("Manistique Papers") and Robert A. Hykan of my office also participated in the call.

At the beginning of the call, you confirmed that Manistique Papers may continue to operate the Residuals Management Area ("RMA") under the authority of Manistique Papers' existing National Pollutant Discharge Elimination System ("NPDES") permit until that permit expires. MDNR's current position is that once the NPDES permit expires, MDNR will seek to regulate the RMA under the Michigan Solid Waste Management Act, 1978 P.A. 641, M.C.L.A. §§ 299.401 et seq. ("Act 641").

I appreciate your acknowledging that Manistique Papers may continue to operate the RMA pursuant to its NPDES permit. Two additional points should be noted regarding this issue. First, I set out Manistique Papers' position on the Act 641 issue in a letter to Frank Opolka dated September 15, 1988, in which I presented several questions to MDNR and stated specifically that the letter "is not and should not be construed to be a request for a declaratory ruling." Steve Casey of MDNR then sent a letter to Mr. Christensen dated January 17, 1989 which set out MDNR's position regarding the status of the RMA under Act 641. I would again stress that Manistique Papers has not requested a declaratory ruling from MDNR on this subject and does not consider Mr. Casey's letter to constitute such a ruling under Section 63 of the Michigan Administrative Procedures Act ("MAPA"), M.C.L.A. § 24.263. See Michigan Natural Resources Commission Rule 95, Michigan

Mr. David M. Dennis
February 15, 1989
Page 2

Administrative Code R299.3095 (MDNR declaratory ruling issued only in response to formal request for such a ruling submitted on MDNR form); Greenbriar v. Convalescent Center, Inc., 108 Mich. App. 553, 310 N.W.2d 812 (1981) (expression of agency's opinion in a letter is not a declaratory ruling where no formal request for such a ruling has been made). *see 30952*

Also, please be advised that under MAPA, Manistique Papers is entitled to operate the RMA pursuant to the NPDES permit until the last day on which Manistique Papers may apply for judicial review of MDNR's decision regarding reissuance of that permit or any later date fixed by order of a court reviewing that decision. M.C.L.A. § 24.291(2).

Following up on one of the questions posed in my September 15th letter to Mr. Opolka regarding this subject, Mr. Schmeling stated that MDNR had concluded that the residuals at the RMA do not appear to be inert, but may qualify as a Type III material. In response to a question about the criteria for determining whether a material is inert, you stated that MDNR does not apply any specific numerical standards, but rather evaluates the constituents of a material, and the risks the material presents at a given site, on a case-by-case basis. Mr. Schmeling further indicated that for MDNR to complete its determination, MDNR wanted: (i) a list of ingredients used in Manistique Papers' process; (ii) analyses of the sludge for total metals, PCBs and EP toxicity; and (iii) a list of test methods and quality assurance/quality control procedures used in testing the sludge.

In my September 15 letter to Mr. Opolka, I also stated that it was my understanding that existing sludge deposits have been utilized in computing the four foot vertical isolation distance at disposal areas operated by Georgia-Pacific and Allied Paper in the Kalamazoo area. Mr. Schmeling stated that he had been unable to obtain any information on this point. You agreed that you would contact Rich Sadowski of MDNR's Plainwell office about this matter and get back to me with a response. *yes*

We also discussed the possibility of Manistique Papers obtaining a variance under Act 641 Rule 108(6) from the four foot vertical isolation distance requirement. Leif Christensen and I pointed out that Manistique Papers has a vital interest in continuing to operate the RMA, and that the huge expense of engineering and designing a new disposal site would likely make it impossible for the mill to continue to operate. You replied that MDNR's objective is not to put companies out of business, but rather to protect the environment, and that you could not comment any more specifically on the possibility of a variance without having additional technical information about the site and a demonstration by Manistique Papers as to the basis for the variance. You also suggested that we explore the technical issues during the remaining 1 1/2 years until the NPDES permit expires in July, 1990. *yes*

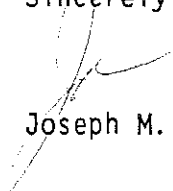
Following up on the final point from my September 15 letter to Mr. Opolka, you stated that under Act 641 the RMA would be considered an

Mr. David M. Dennis
February 15, 1989
Page 3

existing facility, rather than a new facility, and that Manistique Papers would not have to obtain a construction permit, but would only need an operating license, for the RMA.

We closed our conversation by setting a meeting on this matter for March 10, 1989 at 11:00 a.m. in MDNR's Marquette Regional Office. I stated during our conversation, and wish to reiterate here, that by entering into further discussions about this matter, Manistique Papers does not waive any of its procedural rights nor any substantive argument it may wish to raise as to whether the RMA is subject to Act 641, whether the RMA materials are inert, whether existing sludge deposits may be considered in calculating the four foot vertical isolation distance, or as to any other issue related to this matter. Notwithstanding Manistique Papers' intention to preserve its procedural rights and substantive arguments, Manistique Papers plans to make every effort practicable to resolve this matter with MDNR on a mutually satisfactory basis. I thought our conversation was very constructive, and I especially appreciated your expression of interest in and suggestion for resolving the technical issues presented by this matter. I look forward to seeing you on March 10th.

Sincerely,



Joseph M. Polito

JMP/lyc

cc: Mr. Leif Christensen
Mr. Robert Schmeling, II
Mr. Dennis B. Bittner, P.E.

C1475x

United States Environmental Protection Agency
Washington, D.C. 20460

NPDES Compliance Inspection Report

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

Section A: National Data System Coding

Transaction Code: 1 N 2 S 3 M 1 0 0 0 3 1 6 6 11 12 8 9 0 4 0 5 17
NPDES yr/mo/day Inspection Type Inspector Fac Type
18 C 19 S 20 2

Remarks

Reserved Facility Evaluation Rating BI OA
57 1 63 70 71 72 73 74 75 80

Section B: Facility Data

Name and Location of Facility Inspected

Manistique Papers, Inc.
P.O. Box 309
Manistique, MI 49854-0111Entry Time ☐ AM ☒ PM

Permit Effective Date

Exit Time/Date
3:30 p.m. 890405

Permit Expiration Date

Name(s) of On-Site Representative(s)

Jim Cook

Title(s)

Operator

Phone No(s)

Name, Address of Responsible Official

Leif Christensen

Title

General Manager

Phone No.

Contacted

☒ Yes ☐ No

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit		Flow Measurement	S	Pretreatment		Operations & Maintenance
S	Records/Reports		Laboratory	S	Compliance Schedules	S	Sludge Disposal
S	Facility Site Review	S	Effluent/Receiving Waters		Self-Monitoring Program		Other

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

The purpose of this inspection was to evaluate the mill's sludge handling and disposal capabilities. This has been the bottleneck in plant performance on several occasions. The following projects are underway or have been recently completed:

1. An additional sludge press was installed approximately one year ago.
2. New piping at the primary clarifiers allows some sludge to get to the press if the transfer pump fails.
3. A second transfer pump is on order and will be installed upon receipt.
4. A conveyor system with the capability of loading two trucks simultaneously should be operated this month. This will add 3-4 hours of loading time per day.

Duplicate sludge pumps are already available at the secondary clarifier.

The landfill appears to be in order. Sludge removed from the 005 outfall was visible as a delta at the base of the active face. It is available to be sampled if necessary. This maintenance

Name(s) and Signature(s) of Inspector(s)

Agency/Office/Telephone

Date

Steve Casey, Jack Rydquist, Ron Raisanen MDNR/Marquette/906-228-6561

4-10-89

Signature of Reviewer

Agency/Office

Date

4-13-89

Regulatory Office Use Only

Action Taken

Date

Compliance Status

None needed.

4-10-89

☐ Noncompliance
☒ Compliance

Summary of Findings/Comments continued:

dredging did not appear to have been extensive enough to have removed old "PCB" sludges.

Jim does not feel that he has any alternative for cleaning his secondary treatment system other than placing it into the pond alongside 005 and allowing the overflow to go out 005.

Saveall solids are currently being directed to the sewers to improve sheet brightness. A vacuum pump separator was plugged, so that water was being diverted to the process sewer.

The bank stabilization near 005 (to prevent erosion of PCB contaminated soils) was still in good shape. A slight cave-in caused by last fall's dredging operation did not cause any soil to enter the river.

☒ Yes ☐ No ☐ N/A

8. Flow is measured at proper locations.

Yes ☐ No ☒ N/A

a. Influent flow is measured before all return lines.

☒ Yes ☐ No ☐ N/A

b. Effluent flow is measured after all return lines.

9. For municipality: Population currently served _____.
For industry: Number of employees currently working 182.

10. Water supply, wastewater treatment - list any changes from most recent inspection and CSI.

Water Treatment Clarifier installed.

11. Manufacturing operations which contribute wastewater (Industrial inspection only) - list any changes from most recent inspection.

☒ Yes ☒ N/A

12. Any citizen complaints or PEAS reports received since last inspection? If yes, list date and nature of complaint.

Sludge from the 005 pond was hauled to the landfill. Someone complained that "PCB's" were being dumped in the landfill.

Section C. completed by:

Steve Casey

Date

4-5-89

MICHIGAN WATER RESOURCES COMMISSION
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

1990
PERMIT
Expires
10/1/95

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; the "Act"), and the Michigan Water Resources Commission Act, as amended, (Act 245, Public Acts of 1929, as amended, the "Michigan Act"),

Manistique Papers, Inc.
453 South Mackinac Street
Manistique, Michigan 49854

is authorized to discharge from a facility located at

453 South Mackinac Street
Manistique, Michigan 49854

designated as Manistique Papers Inc

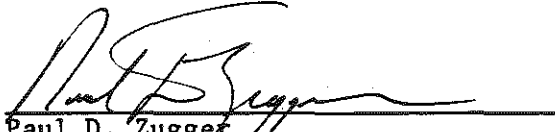
to the receiving water named the Manistique River in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit.

This permit takes effect on January 1, 1991. Any person who feels aggrieved by this permit may file a sworn petition with the Executive Secretary of the Michigan Water Resources Commission, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Commission may reject any petition filed more than 60 days after issuance as being untimely. Upon granting of a contested case to the applicant, the Commission shall review the permit to determine which contested term shall be stayed until the Commission takes its final action. If a contested condition is a requirement placed on wastewater covered by a new or increased discharge authorization, such increased discharge authorization shall be stayed until the Commission takes final action. All other conditions of the permit remain in full effect. If the contested condition is a modification of a previous permit condition and the Commission determines the contested condition shall be stayed, then such previous condition remains in effect until the Commission takes final action. During the course of any administrative proceeding brought by a person other than the applicant, the conditions of this permit will remain in effect, unless the Commission determines otherwise.

This permit and the authorization to discharge shall expire at midnight October 1, 1995. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Michigan Water Resources Commission to the Permits Section of the Surface Water Quality Division no later than 180 days prior to the date of expiration.

This permit is based on an application submitted on January 29, 1990. On its effective date this permit shall supersede NPDES Permit No. MI0003166, expiring July 31, 1990.

Issued this 20th day of September, 1990, by the Michigan Water Resources Commission.


Paul D. Zugger
Executive Secretary

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Final Effluent Limitations, Outfall 004

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge up to three million (3,000,000) gallons per day of noncontact cooling water and vacuum pump seal water to the Manistique River from outfall 004. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic Flow (MGD)	Discharge Limitations				Monitoring Requirements	
	lbs/day		Other Limitations		Measurement	Sample
	Monthly	Daily	Monthly	Daily	Frequency	Type
	Average (report)	Maximum (report)	Average --	Maximum --	Daily	Report Total Daily Flow
BOD ₅ (mg/l)	--	--	(report)	(report)	Daily	Grab Composite*
Total Suspended Solids (mg/l)	--	--	(report)	(report)	Daily	Grab Composite*
Temperature (°F)	--	--	(report)	(report)	Weekly	Reading
Outfall Observation	--	--	--	--	Daily	Visual

*Grab composite samples shall consist of three grab samples, spaced equally during a 24-hour period.

a. The receiving stream shall contain no unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits as a result of this discharge.

b. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to the Manistique River.

c. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits) shall be reported immediately to the Marquette District Supervisor of the Surface Water Quality Division followed with a written report within 5 days detailing the findings of the investigation and the steps taken to correct the condition.

d. In the event the permittee shall require the discharge of water treatment additives, the permittee shall notify the Marquette District Supervisor of the Surface Water Quality Division. The permittee shall obtain written approval from the Marquette District Supervisor to discharge such additives at a specified level. The permit may be modified in accordance with the requirements of Part II.B.4. if a constituent of the additive or additives requires limiting.

e. The term noncontact cooling water shall mean water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product, or finished product.

PART I

Section A.

2. Final Effluent Limitations, Outfall 006

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge up to five million (5,000,000) gallons per day of secondary treated process wastewater to the Manistique River from outfall 006. Such discharge shall be limited and monitored by the permittee as specified below:

<u>Monitoring Requirements</u> <u>Effluent</u> <u>Characteristic</u>	<u>Discharge Limitations</u> <u>lbs/day</u>		<u>Other Limitations</u>		<u>Measurement</u> <u>Frequency</u>	<u>Sample</u> <u>Type</u>
	<u>Monthly</u> <u>Average</u>	<u>Daily</u> <u>Maximum</u>	<u>Monthly</u> <u>Average</u>	<u>Daily</u> <u>Maximum</u>		
Flow (MGD)	(report)	(report)	--	--	Daily	Report Total Daily Flow
BOD ₅ (mg/l)	--	--	(report)	(report)	Daily	24-Hr. Comp.
Total Suspended Solids (mg/l)	--	--	(report)	(report)	Daily	24-Hr. Comp.
Phosphorus, Total (as P)	--	--	1.0 mg/l	--	Weekly	24-Hr. Comp.
Zinc, Total						
1/1/91 to 9/30/92	--	--	--	(report)	Weekly	24-Hr. Comp.
10/1/92 to expiration	--	--	--	225 ug/l	Weekly	24-Hr. Comp.
Silver, Total						
1/1/91 to 9/30/92	(report)	--	(report)	(report)	Weekly	24-Hr. Comp.
10/1/92 to expiration	0.75	--	18 ug/l	20 ug/l	Weekly	24-Hr. Comp.
Copper, Total						
1/1/91 to 9/30/92	--	--	--	(report)	Weekly	24-Hr. Comp.
10/1/92 to expiration	--	--	--	43 ug/l	Weekly	24-Hr. Comp.
Lead, Total (See Part I.A.2.d.)						
Intake				(report)	Weekly	24-Hr. Comp.
Discharge				(report)	Weekly	24-Hr. Comp.
Outfall Observation	--	--	--	--	Daily	Visual
			<u>Daily</u> <u>Minimum</u>	<u>Daily</u> <u>Maximum</u>		
pH (Standard Units)			5.5	9.0	Daily	Grab

PART I

Section A.2. (continued)

- a. The receiving stream shall contain no unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits in quantities which are or may become injurious to any designated use as a result of this discharge.
- b. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to the Manistique River.
- c. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits which would not be expected from the discharges previously specified) shall be reported immediately to the Marquette District Supervisor of the Surface Water Quality Division followed with a written report within 5 days detailing the findings of the investigation and the steps taken to correct the condition.
- d. Demonstrations: On or before October 1, 1992, the permittee shall submit the following to the Marquette District Supervisor of the Surface Water Quality Division:
 - i. A demonstration as to whether there is a statistically significant net discharge of lead from outfall 006. "Net discharge" means an increase in lead concentration from the plant water supply intake to the wastewater discharge. To determine whether this requirement is met, the following procedures shall be followed:
 - a) Samples are to be analyzed for lead using an EPA approved method with a detection level of one ug/l or less.
 - b) The net discharge of lead shall be calculated using the weekly analytical results for lead concentration in the intake and discharge required by Part I.A.2. of this permit.
 - c) The following general procedure shall be followed to determine whether there is a statistically significant net discharge of lead: The means of the concentrations of lead in the intake and the discharge waters shall be compared using the Student-t test or the Wilcoxon rank sum test. A statistically significant net discharge shall not be considered to exist unless the test applied by the permittee indicates, at the 95 percent confidence interval, that the mean concentration of lead in the discharge exceeds the mean concentration of lead in the intake. A detailed statistical procedure for this determination shall be submitted for approval to the Chief of the Surface Water Quality Division on or before February 1, 1991.
 - ii. A demonstration, by certification from suppliers or other methods, that lead is not contained in any material used in the process or which could otherwise contribute lead to the wastewater discharge.
 - iii. The content of critical materials or priority pollutants, other than lead, in all materials added to the furnish during paper manufacturing such as dyes, pigments, brighteners, sizing agents, fillers, coatings, defoamers, etc. Certification of product content by the supplier of the materials may be used for this purpose.

Based on the above demonstrations, this permit may be modified in accordance with Part II.B.4 to establish additional permit requirements necessary to protect receiving waters, consistent with the Michigan Water Quality Standards.

PART I

Section A.

3. Final Effluent Limitations, Outfalls 004, 005 and 006

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge up to eight million (8,000,000) gallons per day of treated process wastewater, noncontact cooling water, and vacuum pump seal water to the Manistique River from outfalls 004, 005, and 006. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	lbs/day		Other Limitations		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
BOD ₅	4,644	8,941	--	--	Daily	Summation of totals
Total Suspended Solids	6,397	11,881	--	--	Daily	Summation of totals

4. Special Condition - Discharge from Outfall 005.

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge up to five million (5,000,000) gallons per day of primary treated process wastewater to the Manistique River from outfall 005. Such discharge shall occur only during periods when the activated sludge system or secondary clarifier are out of service. Effluent limitations as set forth for outfall 006, Part I.A.2, will apply in all instances. Monitoring shall be daily during periods of discharge. In the event outfall 005 is used for discharge, the Marquette District Office of the Surface Water Quality Division shall be notified immediately by telephone.

PART I

Section A.

5. Special Condition - Short Term Waste Characterization Study

As a condition of this permit, the permittee shall monitor the discharge from outfall(s) 006 for the constituents, at the frequency, and for the duration specified below. This monitoring is designed to determine whether these constituents are discharged in significant quantities. The results of the analysis of such monitoring shall be submitted to the Marquette District Supervisor of the Surface Water Quality Division in accordance with Part I.C.2, Schedule of Compliance. If, upon review of the analysis, it is determined that any of the materials or constituents require limiting to protect the receiving waters in accordance with applicable water quality standards, the permit may then be modified after public notice and Commission approval of the recommended permit modification in accordance with Part II.B.4.

<u>CONSTITUENT</u>	<u>SAMPLE TYPE</u>	<u>SAMPLE FREQUENCY</u>	<u>SAMPLE DURATION</u>
Cadmium	24-Hr. Composite	Weekly	Six Weeks

Note: Samples are to be analyzed using an EPA approved method with a detection limit of 0.2 ug/l.

6. Special Condition - Acute Toxicity Testing

Rule 82 of the Michigan Water Quality Standards requires, in part, that 1.0 acute toxic unit (TU) not be exceeded at any point in the receiving waters inhabited by aquatic life. ^A"Acute toxic unit" is defined as the reciprocal of the test concentration that causes the acute effect by the end of the exposure period.

a. On or before February 1, 1991, the permittee shall submit a biomonitoring plan outlining specific testing and reporting procedures to the Marquette District Supervisor of the Surface Water Quality Division for approval. The plan shall include four acute toxicity tests on two test species using effluent from outfall 006. The toxicity tests shall be conducted once every 2 months after approval of the biomonitoring plan. Test species shall include fathead minnow and Daphnia magna (alternate test species may be used upon approval of the Marquette District Supervisor). Testing and reporting procedures shall follow procedures contained in EPA/600/4-85/013, "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Species".

b. The permittee shall implement the biomonitoring plan within 60 days after approval of the Marquette District Supervisor.

c. The final report on the tests conducted under item 6.b. above, shall be submitted to the Marquette District Supervisor within one month after completion of the final test.

(continued)

PART I

Section A.6. (continued)

d. The Surface Water Quality Division will review the toxicity data submitted by the permittee to determine if the toxicity requirements of Rule 82 are being satisfied.

i. If the toxicity requirements of Rule 82 are not being met, upon written notification by the Marquette District Supervisor, the following conditions apply:

a) Within 90 days of the above notification, the permittee shall submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to the Marquette District Supervisor for approval. The TI/RE plan shall include appropriate measures to comply with the toxicity requirements of Rule 82, monitoring to show the effectiveness of the toxicity control measures, and a schedule to implement the plan.

b) The permittee shall implement the approved TI/RE plan in accordance with the schedule contained in the plan.

ii. If the toxicity requirements of Rule 82 are close to being exceeded, upon written notification by the Marquette District Supervisor, the permittee shall conduct quarterly acute toxicity tests on the effluent from outfall 006 for the life of the permit. After 1 year, the monitoring frequency may be reduced upon approval of the Marquette District Supervisor if the test data indicate that the toxicity requirements of Rule 82 are consistently being met. The acute toxicity tests shall be performed using the more sensitive species selected from the acute toxicity database produced in item 6.b., above. If a more sensitive species cannot be identified, the acute toxicity tests shall be performed with both species.

The Surface Water Quality Division will review the toxicity data submitted by the permittee to determine if the toxicity requirements of Rule 82 are being satisfied. If the toxicity requirements of Rule 82 are not being met, upon written notification by the Marquette District Supervisor, the conditions of item 6.d.i., above, apply.

e. This permit may be modified in accordance with Part II.B.4. to include additional whole effluent toxicity requirements as necessary.

PART I

Section A.

7. Special Condition - Dissolved Oxygen Monitoring Study

As a condition of this permit, beginning upon issuance of this permit and before April 30, 1991, the permittee shall monitor* outfall 006 for dissolved oxygen at a frequency and duration specified below. This monitoring is required to demonstrate that the water quality based effluent limit of 4.0 mg/l minimum for dissolved oxygen is consistently being met. The results of the monitoring program shall be submitted by June 31, 1992, to the Marquette District Supervisor of the Surface Water Quality Division. If, upon review of the data, it is determined that dissolved oxygen needs to be monitored and/or limited any further to protect the receiving waters in accordance with applicable Water Quality Standards, the permittee will be so informed. The permit will then be modified in accordance with Part II.B.4.

<u>CONSTITUENT</u>	<u>SAMPLE TYPE</u>	<u>SAMPLE FREQUENCY</u>	<u>SAMPLE DURATION</u>
Dissolved Oxygen (mg/l)	Grab	Twice Monthly	12 Months

*The permittee shall submit an approvable plan for monitoring, sampling, and analysis to the Marquette District Supervisor by February 28, 1991.

8. Special Condition - Pollution Incident Prevention Plan Update

As a condition of this permit, the permittee shall review and update as need be, on an annual basis, the approved Pollution Incident Prevention Plan established for the facility in accordance with the Part 5 Rules of the Water Resources Commission. Notification of said update shall be made in writing to the Marquette District Office by July of each year.

9. Special Condition - Program for Effective Residuals Management (PERM) Update

As a condition of this permit, the permittee shall review and update as need be, on an annual basis, the approved Program for Effective Residuals Management (PERM) established for the facility. Notification of said update shall be made in writing to the Marquette District Office Supervisor by July of each year. Substantial changes in the existing approved PERM requiring update notification shall include, but not be limited to: a change in disposal method or site; a change in monitoring parameters or monitoring frequency; an increase in application rate; or a change in residuals quantity or characteristics. Subsequent to the approval of the PERM update, disposal of residuals resulting from treatment of wastewater shall be in accordance with the existing approved PERM. Any residual disposal inconsistent with the existing approved PERM shall be considered a violation of this permit.

10. Special Condition - Biocides

The permittee is prohibited from using chlorophenolic-containing biocides. In the event the permittee desires to use such biocides, the permittee may request modification of the permit. The permit may be modified in accordance with the requirements of Part II.B.4. to include effluent limitations for pentachlorophenol and trichlorophenol, and any other requirements necessary to protect the receiving waters.

PART I

Section A.

11. Special Condition - Reopener Clause

This permit may be modified or, alternatively, revoked and reissued to comply with any applicable standard(s) or limitation(s) promulgated under Section 301(b)(2)(c)(d), 304(b)(2) and 307(a)(2) of the Act, if the effluent standard(s) or limitation(s) so promulgated:

- a. is(are) either different in condition or more stringent than any effluent limitation in the permit; or
- b. control(s) any pollutant not limited in the permit.

12. Special Condition - Notification Requirement

The permittee shall notify the Marquette District Supervisor of the Surface Water Quality Division, in writing, within 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of:

- a. Detectable levels* of chemicals on the current Michigan Critical Materials Register or priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, which were not acknowledged in the application** or listed in the application at less than detectable levels.
- b. Detectable levels* of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information.
- c. Any chemical at levels greater than five times the average level reported in the application**.

Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the schedule of compliance.

*The detectable level shall be defined as the Method Detection Limit (MDL) as given in Appendix B to Part 136, Federal Register, Vol. 49, No. 209, October 26, 1984, pp. 43430-31.

**The application submitted on January 29, 1990.

13. Discharge to the Groundwaters

The reissuance of this permit does not authorize any discharge to the groundwaters. Such discharge must be authorized by a groundwater discharge permit issued pursuant to Act 245, Public Acts of 1929, as amended.

2-1-90 PERM 2

PART I

B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting:

a. DMR Submittal Requirements - The permittee shall submit Discharge Monitoring Report (DMR) forms to the Michigan Department of Natural Resources, Surface Water Quality Division, Data Entry Unit, P.O. Box 30028, Lansing, Michigan, 48909, for each calendar month of the authorized discharge period(s). The DMRs shall be postmarked no later than the 10th day of the month following each month of the authorized discharge period(s).

3. Definitions

a. The monthly average discharge is defined as the total discharge by weight, or concentration if specified, during the reporting month divided by the number of days in the reporting month that the discharge from the production or commercial facility occurred. If the pollutant concentration in any sample is less than the detection limit, regard that value as zero when calculating monthly average concentration. When less than daily sampling occurs, the monthly average discharge shall be determined by the summation of the measured daily discharges by weight, or concentration if specified, divided by the number of days during the reporting month when the samples were collected, analyzed and reported.

b. The daily maximum discharge means the total discharge by weight, or concentration if specified, during any calendar day.

c. The Regional Administrator is defined as the Region V Administrator, U.S. EPA, located at 230 South Dearborn, 13th Floor, Chicago, Illinois, 60604.

d. The Executive Secretary of the Michigan Water Resources Commission is located in the KNAPP'S OFFICE CENTRE. The mailing address is P.O. Box 30028, Lansing, Michigan, 48909.

e. The Chief of the Surface Water Quality Division's mailing address is P.O. Box 30028, Lansing, Michigan, 48909.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Act, under which such procedures may be required.

PART I

Section B.

5. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of measurement or sampling;
- b. The person(s) who performed the measurement or sample collection;
- c. The dates the analyses were performed;
- d. The person(s) who performed the analyses;
- e. The analytical techniques or methods used;
- f. The date of and person responsible for equipment calibration; and
- g. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Michigan Water Resources Commission.

PART I

C. SCHEDULE OF COMPLIANCE

1. The permittee shall continue to operate the installed facilities to achieve the effluent limitations specified for outfall(s) 004, 005, and 006.

2. The permittee shall achieve compliance with the final effluent limitations for outfall 006 specified in Part I.A.2., in accordance with the following schedule. All submittals shall be to the Marquette District Supervisor of the Surface Water Quality Division.

- a. On or before June 1, 1991, the permittee shall submit and receive approval of a preliminary engineering report and basis of design for any needed facilities.
- b. On or before November 1, 1991, the permittee shall submit and receive approval of final plans and specification for any needed facilities.
- c. On or before July 1, 1992, the permittee shall complete construction of any needed facilities.
- d. On or before October 1, 1992, the permittee shall attain an operational level necessary to meet the limits specified herein.

3. The permittee shall achieve compliance with the Short Term Waste Characterization Study requirements specified in Part I.A.5., in accordance with the following schedule. All submittals shall be to the Marquette District Supervisor.

- a. On or before March 1, 1991, the permittee shall implement the study.
- b. On or before May 1, 1991, the permittee shall have completed all monitoring as required.
- c. On or before June 1, 1991, the permittee shall submit the analytical results of such monitoring.

4. Reapplication

If the discharges authorized by this permit are expected to continue beyond the expiration date of this permit, the permittee is required to submit an application for reissuance to the Chief of the Permits Section of the Surface Water Quality Division on or before April 1, 1995.

5. Written Report Required

Within 14 days of every requirement date specified in this permit, the permittee shall submit written notification to the Marquette District Supervisor indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the permittee accomplishes this, a separate written notification is not required.

PART II

A. MANAGEMENT REQUIREMENTS

1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit constitutes a violation of Public Acts 245, of 1929, as amended, and/or PL 92-500, as amended, and constitutes grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of an application for permit renewal.

2. Change of Conditions

Any anticipated facility expansion, production increases, or process modification which will result in new, different, or increased discharges of pollutants must be reported by submission of a new application to the Chief of the Permits Section of the Surface Water Quality Division or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Marquette District Supervisor of the Surface Water Quality Division. Following such notice, the permit may be modified to specify and limit any pollutant not previously limited.

3. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of concentrated solutions, acids, alkalies, salts, oils, or other polluting materials in accordance with the requirements of the Michigan Water Resources Commission Rules, Part 5. This requirement is included pursuant to Section 5 of the Michigan Water Resources Commission Act 245, P.A. of 1929, as amended, and the Part 5 Rules of the General Rules of the Commission.

4. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified by the Michigan Department of Natural Resources, as required by Section 6a of the Michigan Act.

5. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Marquette District Supervisor of the Surface Water Quality Division with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

PART II

Section A.

6. Spill Notification

The permittee shall immediately report any spill or loss of any product, by-product, intermediate product, oils, solvents, waste material, or any other polluting substance which occurs to the surface waters or groundwaters of the state by calling the Department of Natural Resources 24-hour Emergency Response telephone number, 1-800-292-4706 (calls from out-of-state dial 1-517-373-8166); and within ten (10) days of the spill or loss, the permittee shall submit to the Marquette District Supervisor of the Surface Water Quality Division a full written explanation as to the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken, and schedule of implementation. This requirement is included pursuant to Section 5 of the Michigan Water Resources Commission Act 245, P.A. of 1929, as amended.

7. Facility Operation

The permittee shall at all times properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

8. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the surface or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

9. By-Passing

Any diversion from or by-pass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (a) where unavoidable to prevent loss of life, personal injury, or severe property damage, or (b) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Marquette District Supervisor of the Surface Water Quality Division and the Regional Administrator, in writing, of such diversion or by-pass.

10. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit which provision shall be indicated in this permit by inclusion of a specific compliance date in each appropriate "Schedule of Compliance for Effluent Limitations".
- b. Upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

PART II

Section A.

11. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters, or the entry of toxic or harmful contaminants thereof onto the groundwaters in concentrations or amounts detrimental to the groundwater resource.

12. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee who wishes to establish the affirmative defense of upset shall notify the Marquette District Supervisor of the Surface Water Quality Division by telephone within 24 hours of becoming aware of such conditions and within five (5) days, provide in writing, the following information:

- a. That an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. That the permitted wastewater treatment facility was, at the time, being properly operated;
- c. That the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

In any enforcement proceedings the permittee, seeking to establish the occurrence of an upset, has the burden of proof.

13. Any requirement of this permit which is included under the unique terms of the Water Resources Commission, Act 245, P.A. of 1929, as amended, and rules promulgated thereunder, is not enforceable under the Federal Clean Water Act regulations.

PART II

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the Executive Secretary of the Michigan Water Resources Commission, the Regional Administrator and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Marquette District Supervisor of the Surface Water Quality Division and the Regional Administrator.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act and Rule 2128 of the Water Resources Commission Rules, Part 21, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State Water Pollution Control Agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act and Sections 7 and 10 of the Michigan Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully, all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

PART II

Section B.

5. Toxic Pollutants

Notwithstanding Part II.B.4. above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "By-Passing" (Part II.A.9., pursuant to 40 CFR 122.41(m)) and "Upset" (Part II.A.12., pursuant to 40 CFR 122.41(n)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as accidents, equipment breakdowns, or labor disputes.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under Section 311 of the Act except as are exempted by federal regulations.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining such permits or approvals from other units of government as may be required by law.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

11. Notice to Public Utilities (Miss Dig)

The issuance of this permit does not exempt the permittee from giving notice to public utilities and complying with each of the requirements of Act 53 of the Public Acts of 1974, being sections 460.701 to 460.718 of the Michigan Compiled Laws, when constructing facilities to meet the terms of this permit.

From: SCHAEFES--DNRDC
To: CLARKC --DNRDC

Date and time 02/25/94 17:07:33

30

From: Scott Schaefer
District 4 Newberry
Environmental Response Division
Subject: Manistique Papers

Clif, to update you on this site, I offer the following info:

Yesterday I spoke with both Rob and Ron regarding their respective Divisions position and wishes regarding this site. Rob informed me that WMD is not actively pursuing any action at the site due to the waste pile being regulated by SWQ through their NPDES permit. When I asked Rob what would happen if the site was no longer in the NPDES permit and it was deleted by ERD he informed me that even though the present waste being disposed is most likely inert (a phone call to their Waste Characterization Unit confirmed that it will be) they would still consider the pile a "waste" due to the nature of previous disposals that took place there and would require the site to be closed under Act 641 provisions. I then had a discussion with Ron and asked what actions SWQ was taking at the facility. He informed me that the waste pile is currently contained within the PERM section of the NPDES permit. He informed me however that SWQ was not happy with that situation because they do not have the expertise nor the desire to regulate a disposal facility such as the one in question. Ron said it was SWQ desire to have this disposal facility removed from their PERM and have the company pursue a more acceptable disposal option.

My evaluation of this matter is WMD would be the most appropriate division to handle this site because even if we delete it from 307 they are still going to require a 641 closure to be completed. SWQ should in my opinion work to remove this facility from the permit so that WMD can take the lead. ERD can continue its review to see if the facility meet the definition of a site as described in MERA, but to me it seems irrelevant is some regards in that a closure is going to be required anyway by WMD so why don't we get on with having the company prepare to do this. In talking with WMD waste characterization unit they seem to think the material being disposed would make excellent cap material in that it is mostly clay. In viewing the facility the other day it appears wetlands surround the disposal area. If capping is completed then a permit will be needed more than likely in order for the grade to be acceptable for final closure requirements under 641.

In regards to our conversation earlier, I think that in order for us to be able to leave this site on the 307 list we either need to show that the hydro work is unacceptable and needs additional investigations completed before a determination can be made as to if levels above Type B exist or we have to gather the data ourselves to show impacts are occurring. It is my understanding that if data (existing) does not show levels above Type B then the facility would not meet the definition of a site as defined in MERA (refer to Op Memo 3) and therefore should be deleted. The question at hand is whether the data submitted is adequate and I think that determination should be evaluated in light of WMD requiring additional work at some point to meet Act 641 closure requirements. I am continuing my review of the site data submitted and will let you know what my conclusions are. As always, please get back with any comments and questions.

: SCHMELIR--DNRDC

RAISANER--DNRDC

USERID SCHAEFES
Phone 906-293-5131
Have A Nice Day!

RECEIVED

INTEROFFICE COMMUNICATION

Surface Water Quality

Lake Superior State Forest - Shingleton Forest Area
Shingleton, Michigan 49884

September 12, 1994

TO: Jack Rydquist, Reg. I Surface Water Quality Supervisor
FROM: Bruce A. Veneberg, Shingleton Area Forest Manager
SUBJECT: Manistique Papers, Inc. Landfill Sites

A meeting was held with Manistique Papers personnel, Jim Cook and Jason Panek, along with Dennis Bittner on August 31. DNR personnel in attendance beside myself were:

Steve Scott, Fisheries
Terry Minzey, Wildlife
Ray Perez, Wildlife
Bernie Hubbard, Forest Management

I had two previous meetings with Manistique Papers personnel. At both of these meetings information on the "how to" nature of land exchanges was discussed. During this time, I somehow became the unofficial DNR resource management liaison person.

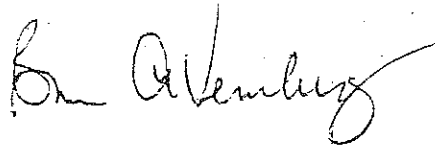
We had set up the August 31 meeting to review and comment on the August 8th letter of alternatives and land exchange possibilities, a copy of which you received from Bittner Engineering.

Review of the alternatives indicated that we would prefer that the existing site continue to be utilized. A linkage with the old Schoolcraft County DPW Municipal Landfill was also preferred, especially if further development of the site was permitted. Both of these alternatives would limit site damage to areas where it has already occurred.

Review of the land exchange sites indicated Manistique Papers properties being offered were of minimal value to each of the three resource divisions. The state lands being requested were rated very high in value. In addition, the concept of introducing an unnatural use such as a landfill into an ecosystem was deemed to be unacceptable. The prospects of a valuable land exchange is non-existent at this point.

On a related note, there seems to have been little effort on their part to locate viable sites on private land. Sites 1 and 2 are on private lands and were obvious poor choices, and I strongly suspect that they knew that they were. Sites 3, 5 and 6 are all on state land and are more suitable in the sense that they do not involve streams or wetlands as the first two did. Manistique Papers needs to be encouraged to take a serious look at private landfill sites.

We realize there are no easy answers to this situation. We look forward to working with you on this problem. Please do not hesitate to contact me or any of the other DNR staff in attendance, should you need any additional information.

A handwritten signature in dark ink, appearing to read "Sam A. Venable". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

BAV/cmt

cc: Scott
Minzey
Perez
Hubbard
Opolka



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

September 22, 1994

LEIF CHRISTENSEN
PRESIDENT - GENERAL MANAGER

RECEIVED

Mr. Jack W. Rydquist, P.E.
District Supervisor
Surface Water Quality Division
Department of Natural Resources
1990 U.S. 41 South
Marquette, MI 49855-9198

Surface Water Quality Div.

Dear Mr. Rydquist:

Our concerns requested in your letter of September 8 are:

1. That MDNR appropriately recognizes our residuals as inert.
2. That it is imperative that a new landfill for Manistique's residuals be licensed in conjunction with the closure of the existing RMA.

We look forward to discussing the draft Inertness Designation when we meet on October 11, and hope that MDNR's needs can acknowledge and address the two above issues.

Sincerely,

MANISTIQUE PAPERS, INC.

Leif Christensen

LC:smq

Copies: Tom Arnold
Dennis Bittner
Jim Cook
Jason Panek
Claudia Rast

RECEIVED

SEP 27 1994

Marquette Dist. W.M.D.



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

October 12, 1994

LEIF CHRISTENSEN
PRESIDENT - GENERAL MANAGER

Jack W. Rydquist
District Supervisor
Surface Water Quality Division
Michigan Dept. of Natural Resources
1990 U.S. 41 South
Marquette, MI 49855

RECEIVED

OCT 18 1994

Marquette Dist. W.M.D.

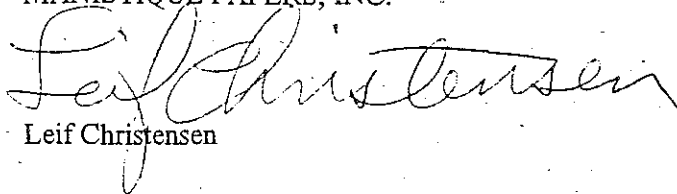
Dear Mr. Rydquist:

Confirming our meeting with your staff this past Tuesday, October 11, we have the following understanding:

1. Claudia Rast will redraft the Inertness Designation and forward it to you by October 26, 1994.
2. The existing RMA location will be reviewed with regard to an advisory analysis for the siting of a new Act 641 landfill within the contiguous property boundaries. The current property boundaries may be expanded through acquisition of adjacent property. Margie Ring, Dennis Bittner and Jim Cook will meet at the mill at 10:00 AM, October 20, prior to the review. This review will be preceded by a request by Bittner Engineering for the advisory analysis.
3. We all agreed that limitations, if any, concerning the existing site could be mitigated.
4. We all agreed that Manistique Papers requires a new approved landfill before the existing RMA closure is complete.
5. Margie Ring and Carl Smith will split samples from existing monitoring well and surface water locations with Bittner Engineering on October 31 and November 1, if a second day is necessary.
6. Margie Ring has reviewed our Closure Plan dated September 15, 1994, and will send her comments to us.
7. The approved Closure Plan will be incorporated into the mill's next NPDES Permit at the time of issuance.

If our understandings differ, please contact me.

Sincerely,
MANISTIQUE PAPERS, INC.


Leif Christensen

LC:smq

Copies: MDNR: Frank Opolka, Ron Raisanen, Duane Roskoskey, Margie Ring, Robert Schmeling,
Carl Smith; DICKINSON WRIGHT: Claudia Rast
BITTNER ENGINEERING: Dennis Bittner; MPI: Tom Arnold, Jim Cook, Jason Panek
SUBSIDIARY OF KRUGER, INC.

SECTION D - SITE DESCRIPTION / EXECUTIVE SUMMARY

NAME MANISTIQUE PULP & PAPER DUMP	COUNTY SCHOOLCRAFT
SHEET NUMBER AND NAME FRANKOVICH RD & 94	MICHIGAN CODE NUMBER 77-42N-16W-36
CITY MANISTIQUE	DNR DISTRICT MARQUETTE
	EPA I.D. NUMBER

INSTRUCTIONS FOR NARRATIVE: In narrative style, write a site description using the following guidelines:

- The body of the narrative should include the six subheadings listed below:

- | | |
|---|---------------------------------------|
| 1. Description of site | 4. Follow - up recommendations to EPA |
| 2. Types and quantities of waste on site | 5. Site inspection recommendation |
| 3. Actions taken, funding recommendations | 6. Type of action needed |

- Be as clear and descriptive as possible. Include names and quantities of waste present on the site. Provide rationale for recommendations.
- If doing a site description for an Act 307 site, complete subheadings 1 - 3.
- If doing an executive summary for a preliminary assessment, complete subheadings 1 - 6.
- Attach additional pages if needed.

The sludge disposal site of Manistique Pulp & Paper Company has been found to contain materials other than sludge, fly ash and bark wastes. Staff inspections reveal drums containing unknown materials, metal cans, plastic bags containing unknown materials, and other miscellaneous materials are being disposed of illegally at this location.

Allegations have also been made that the company is secretly dumping empty barrels which had contained inks, dyes, etc. into this location, approximately 1200 feet from the Manistique River.

MAN. PAPER Dim
Schaefer 301

DEPARTMENT OF NATURAL RESOURCES

INTER-OFFICE COMMUNICATION

January 18, 1995

RECEIVED

JAN 23 1995

Department of Natural Resources
District 4 - Newberry

TO: Margie Ring, Engineer, WMD
FROM: Carl Smith, Geologist, WMD
SUBJECT: Manistique Paper, Inc.

I have completed my review of the groundwater and surface water monitoring data which we collected last October, 1994. The data would indicate that the mill waste site is continuing to degrade the groundwater at the site to levels exceeding Act 307 type "B" levels. The well labeled W7 exhibited the highest levels of contamination and it appears that metals are the parameters of concern.

Well number W7 was reported to have the following concentrations:

	TYPE "B"
As - 2.7	0.02 Ug/l
Mn - 2,500	170 Ug/l
Fe - 41,000	300 Ug/l

These results are somewhat complicated by the fact that well W7 is downgradient but somewhat removed from the waste. I would give a distance but I have no recent maps that depict the area presently filled. Another factor is that there appears to be rather high levels of Iron and Manganese in all of the other wells sampled. All of the wells exceeded the type "B" standard for Iron and Manganese but were at least an order (or 2) of magnitude below W7.

The existing data indicates that this facility has and is causing groundwater contamination according to Act 307 standards. Whether or not this site should be remediated can not be established without further delineation of the plume of contamination. At a minimum the facility should be required to establish the vertical and horizontal extent of contamination and establish a plume concentration gradient map which includes the surface waters that will ultimately receive the plume.

This information would allow the department to base any future decisions on an accurate assessment of the existing conditions associated with this facility.

If you have questions concerning this memo or would like further review please let me know.

cc: Robert Schmeling II, Supervisor, WMD
Jack Rydquist, Supervisor, SWQD
Clif Clark, Supervisor, ERD

NATURAL RESOURCES
COMMISSIONJERRY C. BARTNIK
LARRY DEVUYST
PAUL EISELE
JAMES P. HILL
DAVID HOLLI
JOEY M. SPANO
JORDAN B. TATTER

JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T. MASON BUILDING, PO BOX 30028, LANSING MI 48909-7528

ROLAND HARMES, Director

REPLY TO:
REGION I HEADQUARTERS
1990 US 41 SOUTH
MARQUETTE MI 49855-9198

January 3, 1995

RECEIVED

JAN 04 1995

Mr. Nathaniel Hendricks
PO Box 738, Main Street
Putney, Vermont 05346

Surface Water Quality Div.

Dear Mr. Hendricks:

SUBJECT: Former/Existing Manistique Pulp & Paper Company Site,
Schoolcraft County

This is in response to your letter to Mr. Jim Sygo, Chief of Waste Management Division, dated December 24, 1994, and our telephone conversation on January 3, 1995, concerning a site presently or formerly owned by Manistique Pulp & Paper Company.

As per our conversation, the Waste Management Division of the Michigan Department of Natural Resources does not have any on-going investigations with the above referenced Company. I suggested that you contact Mr. Robert Eberhardt of Surface Water Quality Division ("SWQD") in Lansing, at 517-335-1119, concerning the Manistique Harbor Project which involves the EPA. Also, the sludge generated at the facility is currently being regulated under the Company's NPDES permit administered by the SWQD. Your contact would be Mr. Jack Rydquist at 906-228-6561.

Hopefully, this information will address your request outlined in your December 24, 1994 letter. If you have additional questions, please contact me.

Sincerely,

Robert Schmeling
District Supervisor
Waste Management Division
906-228-6561

ksf

c: Mr. Jim Sygo, Chief, WMD, Lansing
Mr. Frank Ruswick, WMD, Lansing
Mr. Roger Eberhardt, SWQD, Lansing
Mr. Jack Rydquist, SWQD, Marquette ✓

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

ROLAND HARNES, Director

NATURAL RESOURCES

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FACSIMILE TRANSMITTAL

DATE: 10-27-94

TO:

GREG LUCK

FROM:

BRUCE VENERBERG

REGARDING:

LANDFILL - SNOWMOBILE TRAIL

NUMBER OF SHEETS: (Including cover sheet)

4

If you do not receive all pages, or there is any other problem, please call back as soon as possible:

GENERAL NO: 906-452-6227

FAX NO: 906-452-6584

Lake Superior State Forest - Shingleton Forest Area
Shingleton, Michigan 49884



VIEW THE NOTE

From: LUSK --DNRDC
 To: VENERBERG--DNRDC

Date and time
 COVERA --DNRDC

10/26/94 09:36:30

EO1

From: Gregory M. Lusk, Asst Regional Forest Manager

Subject: Proposed Manistique Paper Landfill

Marge said she sent this to Bernie but since time is critical I am sending it direct to you for comment. Please provide your response to this proposal ASAP. Thanks.

*** Forwarding note from RINGM --DNRDC 10/26/94 09:28 ***

To: LUSK --DNRDC

From: Ringm

Subject: Proposed Manistique Paper Landfill

Phone: 906-228-6541 FAX: 906-228-5245

*** Forwarding note from RINGM --DNRDC 10/21/94 16:10 ***

To: HUBBARD--DNRDC

From: ringm

Subject: Proposed Manistique Paper Landfill

Manistique Paper Company has requested an advisory analysis on a proposed landfill site in Schoolcraft County. The site they are considering for
 PF1 Alternate PFs PF2 File NOTE PF3 Keep PF4 Erase PF5 Forward Note
 PF6 Reply PF7 Resend PF8 Print PF9 Help PF10 Next PF11 Previous PF12 Return

VIEW THE NOTE

EO1

landfill site in Schoolcraft County. The site they are considering for development is located in the SW 1/4 of Section 23, and the NW 1/4 of Section 36, of Hiawatha Township (142N, R16W). I visited the site yesterday, and noted that the Haywire Grade ORV/Snowmobile Trail runs through the property. I mentioned to the company that this could pose a problem, but they said the trail is managed by a local snowmobile club and that the club would probably agree to relocating the trail if necessary. Do you agree with this assessment? Would you like to provide any comments on the proposed landfill site? I am required to respond to the request for advisory analysis within 15 working days of receipt, so must respond by November 2. I would appreciate any comments you have by October 28, so I may incorporate them into my letter to the company. The company does not yet own the land in question, and is in the early stages of site selection. The advisory analysis is our chance to direct them elsewhere if necessary.

10-27-94

GREG -

VERY GLAD TO SEE THIS AREA IS BEING CONSIDERED - MUCH BETTER THAN OTHER ALTERNATIVES - SEE 9-12-94 LETTER. LANDFILL SITES TYPICALLY CANNOT BE DEVELOPED ON WETLANDS. HAYWIRE IS IN WETLAND AND MAY NOT BE INVOLVED. IF TRAIL RELOCATION WERE NECESSARY ITS A MANAGABLE PROBLEM. CERTAINLY ITS A LOT BETTER PROBLEM FOR US THAN DEALING WITH A LANDFILL IN THE THOMPSON PLANS AND ALL ITS IMPACTS.

Bm

INTEROFFICE COMMUNICATION

Lake Superior State Forest - Shingleton Forest Area
Shingleton, Michigan 49884

September 12, 1994

TO: Jack Rydquist, Reg. I Surface Water Quality Supervisor
FROM: Bruce A. Veneberg, Shingleton Area Forest Manager
SUBJECT: Manistique Papers, Inc. Landfill Sites

A meeting was held with Manistique Papers personnel, Jim Cook and Jason Panek, along with Dennis Bittner on August 31. DNR personnel in attendance beside myself were:

Steve Scott, Fisheries
Terry Minzey, Wildlife
Ray Perez, Wildlife
Bernie Hubbard, Forest Management

I had two previous meetings with Manistique Papers personnel. At both of these meetings information on the "how to" nature of land exchanges was discussed. During this time, I somehow became the unofficial DNR resource management liaison person.

We had set up the August 31 meeting to review and comment on the August 8th letter of alternatives and land exchange possibilities, a copy of which you received from Bittner Engineering.

3642-16 → Review of the alternatives indicated that we would prefer that the existing site continue to be utilized. A linkage with the old Schoolcraft County DPW Municipal Landfill was also preferred, especially if further development of the site was permitted. Both of these alternatives would limit site damage to areas where it has already occurred.

Review of the land exchange sites indicated Manistique Papers properties being offered were of minimal value to each of the three resource divisions. The state lands being requested were rated very high in value. In addition, the concept of introducing an unnatural use such as a landfill into an ecosystem was deemed to be unacceptable. The prospects of a valuable land exchange is non-existent at this point.

On a related note, there seems to have been little effort on their part to locate viable sites on private land. Sites 1 and 2 are on private lands and were obvious poor choices, and I strongly suspect that they knew that they were. Sites 3, 5 and 6 are all on state land and are more suitable in the sense that they do not involve streams or wetlands as the first two did. Manistique Papers needs to be encouraged to take a serious look at private landfill sites.

We realize there are no easy answers to this situation. We look forward to working with you on this problem. Please do not hesitate to contact me or any of the other DNR staff in attendance, should you need any additional information.



BAV/cmt

cc: Scott
Minzey
Perez
Hubbard
Opolka

312-353-1155
STEPHEN P. DRESCH

Jheon & Associates
"Forensic intelligence in the public interest"

MONDAY, JUNE 26, 1995

Ms Carolyn Bury
U.S. Environmental Protection Agency
Chicago, Illinois

Facsimile Transmission: (312)886-7804
26 pages

Ref: Manistique Papers, Inc., Sludge Dump (City of Manistique, Schoolcraft County, Michigan)

Dear Ms. Bury:

Accompanying this letter are aerial photographs of a rather remarkable "dump" maintained by Manistique Papers, Inc. I use the term "dump" advisedly, since the site is one at which industrial waste is simply being "dumped"; while it is "filling" a large wetland area, it cannot be considered a landfill, in that there is no demarcation of boundaries (i.e., the material simply flows down from the sides of what is reportedly an old, now-closed industrial-waste dump), no lining and no capping of this continuously augmented material.

The dump is approximately one mile north of the City of Manistique and approximately 1.5 miles from the shores of Lake Michigan. The dump occupies wetlands, and these wetlands extend from the dump site to the Indian River (located less than one-quarter mile from the dump). The City of Manistique water system relies upon water drawn from the Indian River, at a site one-quarter to one-half mile downstream from the Manistique Papers dump.

I personally visited the dump site yesterday (June 25, 1995). It appears that trucks make approximately hourly trips from the Manistique Papers plant in Manistique to the dump.

Persons associated with other papers mills, after confidential review of the aerial photographs, expressed shock at the method of disposal apparently permitted in this case. One, who has had recurrent conflicts with the Michigan Department of Natural Resources concerning his company's landfill, commented, "I would be in jail if I permitted anything like that." While these industry experts surmised that the bulk of the dumped material is relatively inert (consisting primarily of clays extracted in the paper recycling process employed by Manistique Papers), it appears likely that greater than trace amounts of more toxic material may also be included, especially from the deinking process. And, however toxic, the dump is filling what can only be described as state- and federally-protected wetlands.

As you are probably aware, USEPA, Manistique Papers and Sault Electric have reportedly reached agreement concerning the disposition of toxic materials in the Manistique River and Harbor. As I understand it, EPA will finance the dredging of the lower river and harbor, while the companies will underwrite the capping of toxic material upstream. Clearly, with a major dump site less than a mile upstream from the areas to be cleansed, the benefits of these expensive remediations may be short-lived.

By this letter I request that the U.S. Environmental Protection Agency inquire into the operation of this industrial dump site, the effect of the dump on the quality of the City of Manistique water supply, the possible effect of this dump on the health of the area's population (as reflected in what I understand is an elevated incidence of various forms of malignancy) and related environmental matters.

By copies of this letter, I will make similar requests of the Michigan Department of Natural Resources and the Michigan Department of Public Health. I also intend to submit Freedom of Information Act requests to USEPA, MDNR and MDPH for information concerning the dump, the characteristics of the dumped material, the impact on water quality and consequences for public health.

I will appreciate any assistance which you can provide in this matter.

Sincerely,

Stephen P. Dresch

List of Enclosures

Manistique Pulp and Paper Co.

1968

1. Wastewater survey (4 pages)

1969

1. 8/20/69 conference (1 page)
2. Narrative on Manistique Pulp and Paper Co. (1 page)

1970

1. 12/1/70 letter to E.W. Petrich from Michigan DNR (1 page)
2. 11/25/70 letter to Mich. DNR from Manistique Paper (1 page)

1971-1976

1. PCB data chart (1 page)
2. Flow chart for Manistique Paper Wasterwater treatment (1 page)

1973

1. Wastewater survey report (5 pages)
2. 8/16/73 Water Resources Commission memo (1 page)
3. 9/19/73 Water Resources Commision memo (1 page)

1974

1. 5/30/74 letter to Manistique Paper from F. Kellow (1 page)
2. 7/22/74 industrial wastewater report (8 pages)
3. 8/23/74 letter from citizen (1 page)
4. 9/11/74 letter to Mich. Water Resources Com. from A. Palladino (1 page)
5. 10/14/74 letter to A. Palladino from Mich. Water Resources Com. (1 page)
6. 10/31/74 letter to K. Osterhaut from Mich. Water Resources Com. (1page)

1975

1. 1/20/75 pollution report (1 page)
2. 1/30/75 letter to Mich. DNR from Manistique Paper (1 page)
3. 2/27/75 memo from K. Zollner to J. Bal (1 page)
4. 4/15/75 memo from K. Zollner to File (1 page)
5. 6/6/75 letter to A. Palladino from Manistique Paper (1 page)
6. 8/22/75 pollution investigation report (1 page)
7. 9/26/75 letter to Manistique Paper from Mich. Water Resources Com. (1 page)
8. 10/20/75 letter to Mich. DNR from Manistique Paper (1 page)
9. 10/30/75 Industrial wastewater survey (1 page)

1976

1. 6/18/76 letter to R. Carlson from Suburgan Labs (2 pages)
2. 8/27/76 letter to Mich. DNR from N. Green (2 pages)
3. 9/2/76 letter to N. Green from Bureau of Land and Water Mgt. (1 page)
4. 9/15/76 memo to L. Witte from E. Hall (1 page)
5. 9/20/76 memo to S. Granger from D. Williams (1 page)
6. 9/20/76 citizens letter (1 page)
7. 10/12/76 memo from D. Granger to D. Williams (1 page)
8. 10/12/76 letter to N. Green from Bureau of Land and Water Mgt. (1 page)
9. 10/12/76 memo from D. Williams to D. Granger (1 page)
10. 10/25/76 letter to N. Green from Environmental Prot. Bureau (1 page)
11. 11/16/76 memo from W. Turney to F. Kellow (1 page)

1977

1. 1977 Residuals and Residues Disposal and Storage report (1 page)
2. 3/24/77 letter to Mich. DNR from Manistique Paper (1 page)
3. 9/22/77 letter to Mich. DNR from Manistique Paper (1 page)
4. 11/8/77 memo from G. Boersen to Zollner and Bal (1 page)

1978

1. 1/16/78 memo from Shauver and Basch to R. Courchcino (1 page)
2. 5/24/78 letter to Schoolcraft Co. Circuit Court from M. Brooks (3 pages)
3. 6/14/78 survey map (1 page)
4. 7/13/78 memo from T. Polasek to J. Truchan (2 pages)
5. 10/26/78 letter to Manistique Paper from Mich. DNR ? (1 page)
6. 12/27/78 letter to Manistique Paper from Mich. DNR ? (1 page)

1979

1. 1979 file summary (1 page)
2. 1/15/79 Lanfill Sludge Report (4 pages)
3. 2/5/79 memo from W. Busby to D. Dennis (1 page)
4. 2/6/79 letter to Manistique Paper from Mich. DNR (1 page)
5. 2/21/79 letter to Manistique Paper from MDNR (1 page)
6. 2/26/79 memo from R. Schmeling to D. Dennis (1 page)
7. 2/26/79 letter to Manistique Paper from MDNR (1 page)
8. 2/28/79 letter to MDNR from Manistique Paper (1 page)
9. 3/7/79 letter to MDNR from Manistique Paper (1 page)
10. 6/15/79 lab report (1 page)
11. 6/26/79 memo from J. Bails to R. Courchaine (1 page)
12. 7/5/79 memo from D. Brackenbury to J. Shifflet (1 page)
13. 7/19/79 letter to MDNR from Manistique Paper (1 page)
14. 8/19/79 pollution investigation report (1 page)
15. 8/30/79 memo from D. Brackenbury to R. Schmeling (1 page)
16. 9/23/79 sample location sheet (1 page)
17. 10/2/79 letter to Manistique Paper from MDNR (1 page)

18. 10/23/79 memo from E. Olsen to J. Bal (1 page)
19. 9/26/79 sampling analysis summary (2 pages)
20. 11/21/79 letter to Manistique Paper from Sen. M. Irwin (1 page)
21. 12/11/79 memo from D. Williams to J. Bohensky (3 pages)

1980

1. 1980 NPDES Permit (2 pages)
2. 3/26/80 memo from T. Kavanagh to D. Williams (2 pages)
3. 5/6/80 Referral to MDNR from Mich. Dept of Labor (1 page)
4. 7/29/80 letter to A. Palladino from Manistique Paper (1 page)
5. 9/22/80 Residuals Management Plan (10 pages)
6. 9/30/80 letter to Water Resources Com. from Manistique Paper (1 page)
7. 10/15/80 memo from R. Schmeling to E. Olsen (1 page)
8. 11/12/80 letter to W. Hackney from MDNR (1 page)

1981

1. 3/25/81 Facility Inspection Report (1 page)
2. 4/22/81 letter to Manistique Paper from Water Resources Com. (1 page)
3. 4/23/81 letter to Water Res. Com. from Manistique Paper (1 page)
4. 7/28/81 letter to Mich. Dept. of Public Health from MDNR (2 pages)
5. 9/1/81 memo from W. Busby to R. Courchaine (2 pages)
6. 9/22/81 memo from D. Williams to J. Bal (1 page)
7. 10/13/81 letter to T. Halvorsen from Mich. Water Resources Com. (1 page)

1982

1. 2/7/82 facility inspection report (1 page)
2. 12/9/82 letter to MDNR from Manistique Paper (1 page)

1983

1. 12/5/83 letter to Manistique Paper from MDNR (1 page)
2. 12/7/83 memo from G. Klepper to W. Work (1 page)

1984

1. Survey comments (1 page)
2. 3/28/84 Verbal communication report (1 page)
3. 11/2/84 letter to Manistique Paper from MDNR (1 page)

1985

1. 6/22/85 letter to L. Christensen from A. Palladino (2 pages)
2. 7/02/85 Facility Inspection Report (1 page)
3. 10/1/85 letter to Manistique Paper from MDNR (1 page)
4. 11/26/85 letter to Manistique Paper from MDNR (1 page)
5. 12/4/85 memo to T. McGarry from S. Casey (1 page)
6. 12/10/85 letter to Chippewa Co. Health Dept. from Luce-Mackinac-Alger-Schoolcraft Health Dept. (1 page)

1986

1. 2/27/86 letter to MDNR from Manistique Paper (1 page)
2. 3/4/86 memo to G. Guenther from J. Bohunsky (1 page)
3. 3/31/86 memo to File from S. Casey (1 page)
4. Reference to 5/20 letter (1 page)
5. 6/17/86 memo to File from D. Roycraft (1 page)
6. 7/1/86 letter to Manistique Paper from MDNR (1 page)
7. 7/1/86 NPDES Compliance Inspection Report (1 page)
8. 7/29/86 memo to A. Leder from P. Gehring (1 page)
9. 9/5/86 MDNR telecon (1 page)

1987

1. 1987 Citizens letter (1 page)
2. 2/9/87 letter to MDNR from UP Engineering and Arch. (1 page)
3. 2/23/87 letter to UP Engineering from MDNR (1 page)
4. 3/87 Report on Soil Samples (5 pages)
5. 3/5/87 memo to T. Work from R. Johns (1 page)
6. 4/17/87 letter to MDNR from Manistique Paper (3 pages)
7. 5/21/87 letter to Bittner Engineering from MDNR (1 page)
8. 6/5/87 letter to Manistique Paper from MDNR (1 page)
9. 6/22/87 message from Luce Mackinac Alger Schoolcraft District Health Dept. (1 page)
10. 7/87 Water Leachate Report (3 pages)
11. 9/17/87 letter to MDNR from Bittner Engineering (1 page)
12. 9/29/87 memo to J. Rydquist from R. Hack (1 page)
13. 9/9/87 NPDES Compliance Inspection Report (1 page)
14. 10/7/87 memo to R. Hack from S. Casey (1 page)
15. 10/21/87 memo to R. Hack from R. Schmeling (1 page)
16. 11/19/87 telecon to File from Steve (1 page)

1988

1. 1/88 Hydrogeological Study (54 pages)
2. 1/11/88 letter to MDNR from Manistique Paper (1 page)
3. 1/28/88 memo to R. Schmeling from C. Clark (1 page)
4. 3/31/88 letter to Bittner Eng. from MDNR (1 page)
5. 4/26/88 memo to R. Schmeling from C. Smith (1 page)
6. 7/14/88 letter to Manistique Paper from MDNR (2 pages)
7. 7/20/88 letter to MDNR from Bittner Eng. (1 page)
8. 8/18/88 letter to MDNR from Bittner Eng. (1 page)
9. 9/15/88 letter to MDNR from Honigman Miller Schwartz and Cohn (6 pages)
10. 10/11/88 letter to Manistique Paper from MDNR (1 page)
11. 11/22/88 memo to R. Schmeling from J. Peck (1 page)

1989

1. 1/6/89 memo to J. Rydquist from R. Schmeling (1 page)
2. 1/10/89 letter to MDNR from R. Hykan (1 page)
3. 1/17/89 letter to Manistique Paper from MDNR (1 page)
4. 1/18/89 letter to MDNR from R. Hykan (1 page)
5. 1/18/89 letter to MDNR from Manistique Paper (4 pages)
6. 1/24/89 letter to MDNR from Manistique Paper (2 pages)
7. 2/6/89 memo to D. Dennis from R. Schmeling (2 pages)
8. 2/15/89 letter to MDNR from J. Polito (2 pages)
9. 4/5/89 NPDES Compliance Inspection Report (2 pages)
10. 5/2/89 Monitoring Location drawings (1 page)
11. 5/3/89 letter to MDNR from D. Bittner (2 pages)
12. 5/22/89 memo to R. Schmeling from S. Harrington (5 pages)
13. 7/17/89 letter to MDNR from D. Bittner (1 page)
14. 8/22/89 letter to Manistique Paper from MDNR (2 pages)
15. 10/2/89 letter to MDNR from D. Bittner (2 pages)
16. 10/16/89 memo to S. Meier from C. Smith (1 page)
17. 11/28/89 letter to Bittner Engineering from MDNR (2 pages)

1990

1. 7/26/90 letter to MDNR from Manistique Paper (1 page)
2. 9/17/90 telecon to Gary from Ron (1 page)
3. 9/19/90 telecon to Ron from Jack (2 pages)
4. 1990 NPDES Permit (9 pages)
5. 1990 draft permit conditions (1 page)
6. 11/5/90 Notification of Hazardous Waste Activity form (3 pages)

1991

1. 3/15/91 memo to R. Cyrenne from L. Christensen (1 page)
2. 3/27/91 case report log (1 page)
3. 3/27/91 spill report (1 page)

1992

1. 5/4/92 letter to Manistique Paper from MDNR (1 page)
2. 9/29/92 letter to MDNR from Manistique Paper (1 page)

1993

1. 2/1/93 letter to MDNR from Manistique Paper (1 page)
2. 3/3/93 letter to Manistique Paper from MDNR (1 page)
3. 4/24/93 memo to R. Schmeling from D. Roskoskey (1 page)
4. 6/23/93 summary of Manistique Paper meeting (2 pages)
5. 7/15/93 letter to Manistique Paper from MDNR (1 page)
6. 8/5/93 memo to Rydquisj from C. Clark (1 page)
7. 8/13/93 letter to MDNR from Manistique Paper (5 pages)

8. 8/20/93 Water Sample Analysis (6 pages)
9. 8/25/93 letter to Manistique Paper from D. Pape (1 page)
10. 10/6/93 letter to Manistique Paper from MDNR (1 page)
11. 10/18/93 Manistique Documents File Index (5 pages)
12. 11/3/93 fax to D. Bittner from West. Michigan Envir. Svcs. (3 pages)
13. 11/10/93 letter to MDNR from R. Smith (1 page)
14. 10/10/93 letter to MDNR from Manistique Paper (1 page)
15. 11/12/93 memo to J. Rydquist from F. Opolka (1 page)
16. 11/17/93 memo to Rydquisj from C. Clark (1 page)
17. 11/18/93 letter to R. Smith from MDNR (1 page)
18. 11/30/93 letter to Manistique Paper from MDNR (1 page)

1994

1. 2/2/94 memo to S. Schaefer from C. Clark (1 page)
2. 2/3/94 memo to R. Schmeling from C. Smith (1 page)
3. 2/3/94 memo to S. Schaefer from C. Smith (1 page)
4. 2/4/94 memo to D. Roskoskey from R. Schmeling (1 page)
5. 2/11/94 letter to Manistique Paper from US Dept. of Ag. (2 pages)
6. 2/25/94 memo to C. Clark from S. Schaefer (1 page)
7. 3/1/94 Closure Plan (7 pages)
8. 3/2/94 memo to Schmeling from J. Rydquist (1 page)
9. 4/94 Project/Site Request form (1 page)
10. 4/27/94 District Quality Review Signature form (1 page)
11. 5/11/94 letter to Manistique Paper from MDNR (1 page)
12. 5/20/94 letter to MDNR from Manistique Paper (5 pages)
13. 5/20/94 letter to MDNR from Bittner Engineering (1 page)
14. 7/13/94 memo to J. Rydquist from C. Clark (1 page)
15. 7/15/94 letter to MDNR from Manistique Paper (2 pages)
16. 7/27/94 letter to Manistique Paper from MDNR (1 page)
17. 8/3/94 letter to MDNR from Manistique Paper (1 page)
18. 8/8/94 letter to MDNR from Bittner Engineering (13 pages)
19. 8/16/94 memo to J. Sygo from D. Roskoskey (1 page)
20. 8/22/94 letter to Manistique Paper from MDNR (1 page)
21. 9/8/94 letter to Manistique Paper from MDNR (1 page)
22. 9/12/94 memo to J. Rydquist from B. Veneberg (1 page)
23. 9/22/94 letter to MDNR from Manistique Paper (1 page)
24. 10/4/94 to Manistique Paper from MDNR (1 page)
25. 10/5/94 memo to J. Rydquist from M. Ring (2 pages)
26. 10/10/94 letter to MDNR from Bittner Engineering (1 page)
27. 10/11/94 letter to Manistique Paper from MDNR (3 pages)
28. 10/12/94 letter to MDNR from Manistique Paper (1 page)
29. 10/17/94 letter to MDNR from Bittner Engineering (2 pages)
30. 10/26/94 memo to Veneberg from Lusko (3 pages)
31. 10/28/94 letter to Bittner Engineering from MDNR (1 page)
32. 10/31/94 letter to MDNR from C. Rast (4 pages)

33. 11/14/94 letter to Manistique Paper from MDNR (1 page)

1995

1. 1/3/95 letter to N. Hendricks from MDNR (1 page)
2. 1/18/95 memo to M. Ring from C. Smith (1 page)
3. 1/23/95 memo to Schmeling from L. Moss (1 page)
4. 1/31/95 letter to MDNR from Bittner Engineering (4 pages)
5. 2/15/95 letter to Bittner Engineering from MDNR (1 page)
6. 3/8/95 Complaint (7 pages)
7. 5/3/95 letter to USEPA from MDNR (2 pages)
8. 6/25/95 letter to USEPA from S. Drresch (1 page)
9. MDNR manifests (48 pages)
10. Act 307 Master Data Form (1 page)
11. Manistique Paper Process Water Flow Diagram (2 pages)
12. Proof of Service and Brief (80 pages)

LAW, JA
6-1772

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APR 02 1997

Freedom of Information Act Request

PROGRAM MANAGEMENT BRANCH
Waste, Pesticides & Toxics Division
U.S. EPA - REGION 5

05-RIN-00797-97

Requestor:	KRISTIN C KETZLER	Request Date:	03/31/97
Company:	HONIGMAN MILLER SCHWARTZ AND COHN	Date Received:	04/02/97
Fee Category:	COMMERCIAL	Acknowledged:	04/02/97
Subject:	MANISTIQUE PAPERS INC		
Lead Office:	05-WPT		
Assigned to:	05-ORC, 05-WPT		
Original Due Date:	04/16/97	New Due Date:	
Fee Waiver Requested:	NO		
FIS Initials:	LH		

SPECIAL INSTRUCTIONS:

1. SEPARATE REPLIES 2. WPT ISSUE
COMBINED BILLING 3. PROGRAM OFFICE
SEND YOUR BILLING TO WPT, MARY
VILLARREAL, HSM 7J, 6-7439 4. CALL
REQUESTOR WITH COST ESTIMATE

REC'D BY: _____

DATE _____

Law Offices
HONIGMAN MILLER SCHWARTZ AND COHN
A Partnership Including Professional Corporations
2290 First National Building
Detroit, Michigan 48226-3583

Lansing
West Palm Beach
Tampa

FACSIMILE TRANSMITTAL COVER SHEET**DATE:** March 31, 1997**TO:** Diane M. Sharrow, Esq.**COMPANY:** EPA-Region V**FAX NO:** 312-353-4788**CITY/STATE:** Chicago, Illinois**FROM:** Kristin C. Ketzler**SENDER'S DIRECT DIAL:** (313) 256-7896**NUMBER OF PAGES INCLUDING COVER SHEET:** 3

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A Partnership Including Professional Corporations
2290 First National Building
Detroit, Michigan 48226-3583

*Lansing
West Palm Beach
Tampa*

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TO: *Diane M. Sharrow, Esq.*

COMPANY: *EPA-Region V*

FAX NO: *312-353-4788*

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REMARKS: _____

HONIGMAN MILLER SCHWARTZ AND COHN

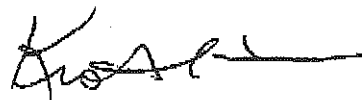
Diane M. Sharrow, Esq.

March 31, 1997

Page 2

Thank you for your assistance.

Sincerely,



Kristin C. Ketzler

cc: Deborah Garber, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency
77 W. Jackson Blvd.
Chicago, Illinois 60604-3590
fax: 312-886-7160
Attn: C-29A

MID 981 192 628

LAW OFFICES
HONIGMAN MILLER SCHWARTZ AND COHN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
2280 FIRST NATIONAL BUILDING
DETROIT, MICHIGAN 48226-3583
FAX (313) 262-0176

KRISTIN C. NETZLER
TELEPHONE: (313) 266-7698

WEST PALM BEACH, FLORIDA
LANSING, MICHIGAN
TAMPA, FLORIDA

00797-97

March 31, 1997

VIA FACSIMILE

~~Diane M. Sharrow, Esq.~~
Michigan/Wisconsin Section
Enforcement & Compliance Assurance Branch
Waste, Pesticide and Toxics Division
U.S. Environmental Protection Agency, Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Attn: DRE-8J

FOIA officer
Wendy
Schumacher

WPT

ORC

Re: Manistique Papers, Inc. - Residuals Management Area

Dear Ms. Sharrow:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 551 *et seq.*, I hereby request a copy of any and all documents within the U.S. Environmental Protection Agency's Resource Conversation and Recovery Act file regarding Manistique Papers, Inc.'s Residuals Management Area, located at 453 S. Mackinac Road, Manistique, Michigan (EPA ID No. MID 981192628). This request includes, but is not limited to, copies of any citizen suit notices, demands, correspondence, photographs and related materials, and any materials received from the Great Lakes Environmental Assessment Section of the Michigan Department of Environmental Quality ("MDEQ"), Surface Water Quality Division. However, this request does not include copies of documents obtained from any other section of MDEQ or other state agency. With respect to documents in the file submitted by MDEQ, please provide me with a detailed list of all files or describe these documents with specificity, including on the list the dates covered by the files, the file names, and file categories.

If you have any questions or expect the costs associated with processing this request to exceed \$100, please contact me at the direct dial telephone number above before proceeding.

Please send responsive documents to my attention.

WPT

C/A

LAW. JA
6-1772

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APR 02 1997

Freedom of Information Act Request

05-RIN-00797-97

PROGRAM MANAGEMENT BRANCH
Waste, Pesticides & Toxics Division
U.S. EPA - REGION 5

Requestor: KRISTIN C KETZLER **Request Date:** 03/31/97
Company: HONIGMAN MILLER **Date Received:** 04/02/97
SCHWARTZ AND
COHN
Acknowledged: 04/02/97
Fee Category: COMMERCIAL
Subject: MANISTIQUE PAPERS INC
Lead Office: 05-WPT
Assigned to: 05-ORC, 05-WPT
Original Due Date: 04/16/97 **New Due Date:**
Fee Waiver Requested: NO
FIS Initials: LH

SPECIAL INSTRUCTIONS:

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DATE _____

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; the "Federal Act"), Michigan Act 451, Public Acts of 1994, as amended (the "Michigan Act"), Parts 31 and 41, and Michigan Executive Orders 1991-31, 1995-4 and 1995-18.

Manistique Papers, Inc.
453 South Mackinac Street
Manistique, Michigan 49854

is authorized to discharge from a facility located at

453 South Mackinac Street
Manistique, Michigan 49854

designated as Manistique Papers Inc

to the receiving water named the Manistique River in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit.

This permit takes effect immediately upon the date of issuance. Any person who is aggrieved by this permit may file a sworn petition with the Office of Administrative Hearings of the Michigan Department of Environmental Quality, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Department may reject any petition filed more than 60 days after issuance as being untimely. Upon granting of a contested case, the Department shall review the permit to determine which contested conditions shall be stayed until the Department takes its final action. If a condition contested by the applicant is a requirement placed on wastewater covered by a new or increased discharge authorization, such increased discharge authorization shall be stayed until the Department takes final action. All other conditions of the permit remain in full effect. If the contested condition is a modification of a previous permit condition and the Department determines the contested condition shall be stayed, then such previous condition remains in effect until the Department takes final action.

This permit and the authorization to discharge shall expire at midnight, October 1, 2000. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application which contains such information and forms as are required by the Michigan Department of Environmental Quality to the Marquette District Supervisor of the Surface Water Quality Division by April 1, 2000.

In accordance with Section 324.3118 of the Michigan Act, the permittee shall make payment of a \$200.00 annual storm water fee to the Department, which shall be postmarked no later than March 15 of each year.

This permit is based on a complete application submitted on March 23, 1995. The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules. On its effective date this permit shall supersede NPDES Permit No. MI0003166, expiring October 1, 1995, and Certificate of Coverage No. MIR14M003, issued September 28, 1994, which is revoked when superseded by this permit.

Issued June 13, 1997



William E. McCracken
Chief, Permits Section
Surface Water Quality Division

PART I

Section A. Limitations and Monitoring Requirements

1. Final Effluent Limitations, Outfall 004

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge a maximum of two million (2,000,000) gallons per day of noncontact cooling water and vacuum pump seal water from outfall 004 to the Manistique River. Such discharge shall be limited and monitored by the permittee as specified below.

Parameter	Quantity of Loading			Quality or Concentration				Frequency of Analysis	Sample Type
	Monthly Average	Daily Maximum	Units	Daily Minimum	Monthly Average	Daily Maximum	Units		
Flow	(report)	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
BOD ₅	---	---	---	---	(report)	(report)	mg/l	Daily	24-Hr. Composite
Total Suspended Solids	---	---	---	---	(report)	(report)	mg/l	Daily	24-Hr. Composite
Temperature	---	---	---	---	(report)	(report)	°F	Weekly	Reading
Visual Observation	(report)	---	---	---	---	---	---	Daily	Visual

a. Narrative Standard

The receiving water shall contain no unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits as a result of this discharge.

b. Monitoring Location

Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to the Manistique River.

c. Outfall Observation

Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits) shall be reported within 24 hours to the Marquette District Supervisor of the Surface Water Quality Division followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

d. Water Treatment Additives

In the event the permittee proposes the use or discharge of a water treatment additive that has not previously been approved by the Marquette District Supervisor of the Surface Water Quality Division, the permittee shall notify the Marquette District Supervisor. Written approval from the Marquette District Supervisor to discharge the additive at a specified level shall be obtained prior to discharge by the permittee.

PART I

Section A. Limitations and Monitoring Requirements

2. Final Effluent Limitations, Outfall 006

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge a maximum of six million (6,000,000) gallons per day of secondary treated process wastewater from outfall 006 to the Manistique River. Such discharge shall be limited and monitored by the permittee as specified below.

<u>Parameter</u>	<u>Quantity of Loading</u>			<u>Quality or Concentration</u>				<u>Frequency of Analysis</u>	<u>Sample Type</u>
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Units</u>	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Units</u>		
Flow	(report)	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
BOD ₅	---	---	---	---	(report)	(report)	mg/l	Daily	24-Hr. Composite
Total Suspended Solids	---	---	---	---	(report)	(report)	mg/l	Daily	24-Hr. Composite
pH (Standard Units)	---	---	---	5.5	---	9.0	S.U.	Daily	Grab
Phosphorus, Total (as P)	---	---	---	---	---	(report)	mg/l	Quarterly	24-Hr. Composite
Zinc, Total	---	---	---	---	---	(report)	µg/l	Quarterly	24-Hr. Composite
Silver, Total	---	---	---	---	---	(report)	µg/l	Quarterly	24-Hr. Composite
Copper, Total	---	---	---	---	---	(report)	µg/l	Quarterly	24-Hr. Composite
Outfall Observation	(report)	---	---	---	---	---	---	Daily	Visual

- a. Narrative Standard
The receiving water shall contain no unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits as a result of this discharge.
- b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to the Manistique River.
- c. Outfall Observation
Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits) shall be reported within 24 hours to the Marquette District Supervisor of the Surface Water Quality Division followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.
- d. Metal and Phosphorus Analysis
U.S. EPA approved analytical methods shall be used. Metals and phosphorus shall be analyzed at or below the following detection levels unless higher levels are appropriate because of sample matrix interference: total zinc, 10 µg/l; total copper, 1 µg/l; total silver, 0.2 µg/l; and total phosphorus, 10 µg/l. The permittee shall ensure that analyses are conducted with sufficient QA/QC to provide confidence in low-level analytical results.

PART I**Section A. Limitations and Monitoring Requirements**

- e. **Request for Reduced Monitoring Frequency**
After 8 quarters of monitoring for total phosphorus, total zinc, total silver, and total copper, the permittee may request reduced monitoring frequency for these parameters. This request shall be submitted to the Marquette District Supervisor of the Surface Water Quality Division. The Marquette District Supervisor may deny the request for reduced monitoring, or require additional monitoring at the stated frequency before making a decision, or approve the request if these chemicals do not have a reasonable potential of violating the Michigan Water Quality Standards. Upon receipt of written approval from the Marquette District Supervisor, the permittee may reduce the monitoring frequency as directed.
- f. **Water Treatment Additives**
In the event the permittee proposes the use or discharge of a water treatment additive that has not previously been approved by the Marquette District Supervisor of the Surface Water Quality Division, the permittee shall notify the Marquette District Supervisor. Written approval from the Marquette District Supervisor to discharge the additive at a specified level shall be obtained prior to discharge by the permittee.

PART I

Section A. Limitations and Monitoring Requirements

3. Final Effluent Limitations, Outfalls 004, 005, and 006

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge a maximum of eight million (8,000,000) gallons per day of treated process wastewater, noncontact cooling water, and vacuum pump seal water from outfalls 004, 005, and 006 to the Manistique River. Such discharges shall be limited by the permittee as specified below. Loadings shall be calculated as the sum of the loading from the three outfalls.

Parameter	Quantity of Loading			Quality or Concentration				Frequency of Analysis	Sample Type
	Monthly Average	Daily Maximum	Units	Daily Minimum	Monthly Average	Daily Maximum	Units		
Tier 1 -- Production Rate of 400 Tons/Day or Less									
BOD ₅									
Year-round	4,644	8,941	lbs/day	---	---	---	---	Daily	Summation of Totals
Total Suspended Solids (year-round)	6,397	11,881	lbs/day	---	---	---	---	Daily	Summation of Totals
Tier 2 -- Production Rate Between 401 and 465 Tons/Day									
BOD ₅									
Oct. 1 - Apr. 30	5,399	10,394	lbs/day	---	---	---	---	Daily	Summation of Totals
May 1 - Sep. 30	5,399	8,976	lbs/day	---	---	---	---	Daily	Summation of Totals
Total Suspended Solids (year-round)	7,437	13,812	lbs/day	---	---	---	---	Daily	Summation of Totals
Tier 3 -- Production Rate Between 466 and 525 Tons/Day									
BOD ₅									
Oct. 1 - Apr. 30	6,095	11,735	lbs/day	---	---	---	---	Daily	Summation of Totals
May 1 - Sep. 30	6,095	8,976	lbs/day	---	---	---	---	Daily	Summation of Totals
Total Suspended Solids (year-round)	8,396	15,594	lbs/day	---	---	---	---	Daily	Summation of Totals

a. Reporting on Tiered Limits

The permittee shall report the mass of BOD₅ and total suspended solids discharged under the appropriate tier sets of limits, depending upon the production rate, and indicate zero (0) flow on the discharge monitoring reports not used. The production rate shall be calculated by dividing the total monthly production by the number of production days in the month. The permittee shall report on a semi annual basis, the production rate for each month of this period, in tons/day, to the Marquette District Supervisor of the Surface Water Quality Division.

PART I**Section A. Limitations and Monitoring Requirements****4. Special Condition - Discharge from Outfall 005**

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge a maximum of six million (6,000,000) gallons per day of primary treated process wastewater from outfall 005 to the Manistique River. Such discharge shall occur only during periods when the activated sludge system, secondary clarifier, or the piping conveyance system between the primary and secondary treatment systems are out of service. Effluent limitations as set forth for outfall 006, Part I.A.2, will apply in all instances. Monitoring shall be daily during periods of discharge. In the event outfall 005 is used for discharge, the Marquette District Office of the Surface Water Quality Division shall be notified immediately by telephone.

5. Chlorophenolic-Containing Biocides Restriction

The permittee is prohibited from using chlorophenolic-containing biocides. In the event the permittee desires to use such biocides, the permittee may request modification of the permit. The permit may be modified in accordance with applicable laws and rules to include effluent limitations for pentachlorophenol and trichlorophenol, and any other requirements necessary to protect the receiving waters.

Preventing Pollution is the Best Solution

The Michigan Department of Environmental Quality (DEQ) encourages you to consider pollution prevention alternatives. In some cases pollution prevention may allow you to avoid the need to discharge pollutants which would otherwise require permit limitations -- or even avoid the need for permits altogether! Pollution prevention can:

- ☒ Save Money
- ☒ Reduce Waste
- ☒ Aid Permit Compliance
- ☒ Protect Our Environment
- ☒ Improve Corporate Image
- ☒ Reduce Liability

The DEQ is helping Michigan's industries save money, reduce waste and protect our environment through pollution prevention. DEQ staff can provide pollution prevention assistance through telephone consultations, technical workshops and seminars, and informational publications. They can also put you directly in touch with local support networks and national pollution prevention resources. For more information, contact the Michigan Department of Environmental Quality, Environmental Assistance Division, at 1-800-662-9278 or visit our homepage at <http://www.deq.state.mi.us>

PART I**Section A. Limitations and Monitoring Requirements****6. Acute Toxicity Testing, Outfall 006**

The permittee shall conduct acute toxicity tests on fathead minnows two times during each annual cycle beginning on September 1, 1997, using process wastewater effluent from outfall 006. The tests shall be conducted during different product runs, if possible. Testing and reporting procedures shall follow procedures contained in EPA/600/4-90/027F, "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms". Toxicity test data acceptability is contingent upon the validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request. The final report on the tests shall be submitted to the Marquette District Supervisor of the Surface Water Quality Division within 30 days after completion of the last test of each annual cycle. Test results also shall be made available upon request by the Department. The Marquette District Supervisor may change the frequency of these toxicity tests based upon the results of the first year's data. 9/21/97

The Surface Water Quality Division will review the toxicity data submitted by the permittee to determine if the toxicity requirements of Rule 82 (Rule 323.1082 of the Michigan Administrative Code) are being satisfied.

- a. If the toxicity requirements of Rule 82 are not being met, upon written notification by the Marquette District Supervisor, the following conditions apply. Within 90 days of the above notification, the permittee shall implement a Toxicity Identification/Reduction Evaluation (TI/RE). The objective of the TI/RE shall be to reduce the toxicity of the final effluent from outfall 006 to acceptable levels within three (3) years of notification. The following documents are available as guidance to reduce toxicity to acceptable levels: Phase I, EPA/600/6-91/003; Phase II, EPA/600/R-92/080; and Phase III, EPA/600/R-92/081. The TI/RE shall include quarterly acute toxicity tests of the discharge from outfall 006 for the duration of the TI/RE. The tests shall be conducted and reported as specified above. Upon approval of the Marquette District Supervisor, the tests may be performed using the most sensitive species identified in the acute toxicity database. If a more sensitive species cannot be identified, the acute toxicity tests shall be performed with both species. Annual reports on the quarterly tests shall be submitted to the Marquette District Supervisor within 30 days of the completion of the last test of each annual cycle.
- b. If the toxicity requirements of Rule 82 are close to being exceeded, upon written notification by the Marquette District Supervisor, the permittee shall conduct quarterly acute toxicity tests on the final effluent from outfall 006 for the life of the permit. The tests shall be conducted and reported as specified above. After one (1) year, the monitoring frequency may be reduced upon approval of the Marquette District Supervisor if the test data indicate that the toxicity requirements of Rule 82 are consistently being met. Upon approval of the Marquette District Supervisor, the acute toxicity tests may be performed using the more sensitive species identified in the acute toxicity database. If a more sensitive species cannot be identified, the acute toxicity tests shall be performed with both species. Annual reports on the quarterly tests shall be submitted to the Marquette District Supervisor within 30 days of the completion of the last test of each annual cycle.
- c. This permit may be modified in accordance with applicable laws and rules to include additional whole effluent toxicity control requirements as necessary.

PART I**Section A. Limitations and Monitoring Requirements****7. Program for Effective Residuals Management (PERM)****a. Management and Disposal of Residuals**

In addition to the requirements in Part II.D.7. herein, the permittee shall provide for the effective management and/or disposal of residuals, i.e., solids, sludges, ash, grit and other substances removed from or resulting from treatment of the wastewater. Residuals disposal at the existing Residuals Management Area (RMA) shall be accomplished in such manner that the disposal practices shall not result in unlawful pollution of the air, surface waters or groundwaters of the state nor create nuisance conditions. Such management and/or disposal program shall be set forth in an updated "Program for Effective Residuals Management" (PERM) prepared by the permittee. The program shall include, but is not limited to, the following:

- 1) a management plan (treatment, transportation, storage, disposal, contingency plans);
- 2) an inventory of residuals production, storage, and disposal for a period of at least one year;
- 3) an analysis of the residuals meeting the waste characterization requirements of the Michigan Act, Part 115, Rule 118; and
- 4) a hydrogeological report meeting the requirements of the Michigan Act, Part 115, Rules 904 through 908.

The program shall be submitted to the Marquette District Supervisor of the Waste Management Division and the District Supervisor of the Surface Water Quality Division on or before July 15, 1997. Subsequent to approval, disposal of residuals resulting from treatment of wastewater shall be in accordance with the program. If the permittee desires to make any substantial changes in the program, such proposed changes shall be submitted to and be approved by the Marquette District Supervisor of the Waste Management Division prior to implementation. Substantial changes shall include, but not be limited to: a change in disposal method or site; a change in treatment method; a change in storage method or site; a change in monitoring parameters or monitoring frequency; an increase in application rate; or a change in residuals quantity or characteristics. Any residual disposal inconsistent with the approved program shall be considered a violation of this permit.

b. Hydrogeological Report

As stated in Part II.D.7.a.4) above, the permittee shall submit its hydrogeological report to the Marquette District Supervisor of the Waste Management Division and the District Supervisor of the Surface Water Quality Division on or before July 15, 1997. On or before December 31, 1997, the permittee shall implement the approved hydrogeological monitoring plan at the RMA.

PART I

Section A. Limitations and Monitoring Requirements

8. Storm Water Pollution Prevention Plan

The permittee is authorized to discharge storm water associated with industrial activities as defined in 40 CFR 122.26(b)(14). These storm water discharges shall be controlled in accordance with the requirements of this special condition. The permittee shall develop a Storm Water Pollution Prevention Plan (plan) in accordance with good engineering practices. The goal of the plan is to maximize control of significant materials (as defined in Part I.A.8.k.) and reduce the level of such materials in storm water so that storm water discharges will not cause a violation of Michigan's Water Quality Standards. A schedule for achieving this goal is established in Part I.A.8.a. To meet this goal, the permittee shall develop a plan to achieve the following objectives:

- identify a person or persons at the facility who shall have supervision over the inspection and management of storm water controls and who is or will be certified under Part I.A.8.a.1);
- identify sources of significant materials (as defined in Part I.A.8.k.) that could mix with storm water and be discharged from the facility (Part I.A.8.c.);
- identify non-structural controls to be used at the source to prevent significant materials from entering storm water (Part I.A.8.d.);
- provide structural controls, if needed, to prevent significant materials from entering storm water, and to give additional control or treatment for storm water that has become contaminated by significant materials (Part I.A.8.e.);
- ensure that the plan is regularly evaluated and updated (Part I.A.8.f.);
- ensure that all non-storm water discharges are covered by an NPDES permit (Part I.A.8.m.).

a. Schedule for Plan Preparation and Implementation

- 1) The permittee shall have a storm water operator certified by the Michigan Department of Environmental Quality, as required by Section 3110 of the Michigan Act. The storm water certified operator shall have supervision over the facility's storm water treatment and control measures included in the plan. This requirement has been COMPLETED.
- 2) The permittee shall have a plan developed. The plan shall be reviewed and signed by the certified storm water operator, and in accordance with Part I.A.8.i. The permittee shall have certified in writing to the Marquette District Supervisor of the Surface Water Quality Division that the plan has been developed in accordance with the requirements of this permit and that all non-storm water discharges are covered by an NPDES permit. This requirement has been COMPLETED.
- 3) The permittee shall complete implementation of the non-structural requirements of the plan (see Part I.A.8.d.) and shall certify in writing to the Marquette District Supervisor that the non-structural requirements of the plan have been implemented. This requirement has been COMPLETED.
- 4) On or before September 28, 1997, the permittee shall have completed construction of and put into operation all structural storm water pollution control facilities identified in the plan (see Part I.A.8.e.). The permittee shall certify in writing to the Marquette District Supervisor that all structural controls have been completed.

PART I

Section A. Limitations and Monitoring Requirements

b. Failure to Comply with Schedules for Plan Preparation and Implementation

Failure to meet the certification requirements and schedules listed in Part I.A.8.a. constitutes a violation of this permit. If such a violation should occur, the permittee shall provide written notification within 14 calendar days following the missed deadline to the Marquette District Supervisor of the Surface Water Quality Division. The permittee's written notification shall include identification of the requirement not completed, an explanation of the failure to meet the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be met.

c. Source Identification

To identify potential sources of significant materials that can enter storm water and subsequently be discharged from the facility, the plan shall, at a minimum, include the following:

- 1) A site map identifying the following: buildings and other permanent structures; storage or disposal areas for significant materials; storm water discharge outfalls (numbered for reference); location of storm water inlets contributing to each outfall; location of NPDES permitted discharges other than storm water; outlines of the drainage areas contributing to each outfall; structural runoff controls or storm water treatment facilities; areas of vegetation; areas of exposed and/or erodible soils; impervious surfaces (roofs, asphalt, concrete); name and location of receiving water(s); and areas of known or suspected impacts on surface waters as designated under Part 201 of the Michigan Act.
- 2) An evaluation of the reasonable potential for contribution of significant materials to runoff from at least the following areas or activities: loading, unloading, and other material handling operations; outdoor storage; outdoor manufacturing or processing activities; significant dust or particulate generating processes; discharge from rooftop vents, stacks and air emission controls; on-site waste disposal practices; maintenance and cleaning of vehicles, machines and equipment; other appropriate areas; and sites of environmental contamination listed under Part 201 of the Michigan Act.
- 3) A list of all significant materials that could enter storm water. For each material listed, the plan shall include the following descriptions:
 - a) ways in which each type of material has been or has reasonable potential to become exposed to storm water (e.g., spillage during handling; leaks from pipes, pumps, and vessels; contact with storage piles; waste handling and disposal; deposits from dust or overspray, etc.);
 - b) identification of the outfall or outfalls through which the material may be discharged if released;
 - c) a listing of oil and other polluting materials that have been spilled or leaked over the three (3) years prior to the completion of the plan; the date, volume and exact location of release; and the action taken to clean up the material and/or prevent exposure to storm water runoff or contamination of surface waters of the state. Any release that occurs after the plan has been developed shall be controlled in accordance with the plan and is cause for the plan to be updated as appropriate within 14 calendar days of obtaining knowledge of the spill or loss.
 - d) a summary of existing storm water discharge sampling data (if available) describing pollutants in storm water discharges associated with industrial activity at the facility. This summary shall be accompanied by a description of the suspected source(s) of the pollutants detected.

PART I

Section A. Limitations and Monitoring Requirements

d. Preventive Measures and Source Controls. Non-Structural

To prevent significant materials from contacting storm water at the source, the plan shall, at a minimum, include the following non-structural controls:

- 1) Description of a program for routine preventive maintenance which includes requirements for inspection and maintenance of storm water management and control devices (e.g., cleaning of oil/water separators and catch basins) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters. A log of the inspection and corrective actions shall be maintained on file by the permittee, and shall be retained in accordance with Part I.A.8.h.
- 2) A schedule for comprehensive inspection of equipment, plant areas, and structural pollution prevention and treatment controls to be performed at least once every six (6) months. A report of the results of the comprehensive inspection shall be prepared and retained in accordance with Part I.A.8.h. The report shall identify any incidents of non-compliance with the plan. When a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with this plan.
- 3) A description of good housekeeping procedures to maintain a clean, orderly facility.
- 4) The plan shall specify material handling procedures and storage requirements for significant materials. Equipment and procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The procedures shall identify measures to prevent the spilled materials from being discharged into storm water. The plan may include, by reference, requirements of either a Pollution Incident Prevention Plan (PIPP) prepared in accordance with the Part 5 Rules (Rules 323.1151 through 323.1169 of the Michigan Administrative Code), or a Spill Prevention Control and Countermeasure (SPCC) plan prepared in accordance with 40 CFR 112.
- 5) Identification of areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion. The plan shall also identify measures used to control soil erosion and sedimentation.
- 6) A description of employee training programs which will be implemented to inform appropriate personnel at all levels of responsibility of the components and goals of the plan. The plan shall identify periodic dates for such training.
- 7) Identification of significant materials expected to be present in storm water discharges following implementation of non-structural preventative measures and source controls.

e. Structural Controls for Prevention and Treatment

Where implementation of the measures required by Part I.A.8.d. does not control storm water discharges in accordance with Part I.A.8., the plan shall provide a description of the location, function, and design criteria of structural controls for prevention and treatment. Structural controls may be necessary:

- 1) to prevent uncontaminated storm water from contacting or being contacted by significant materials.
- 2) if preventive measures are not feasible or are inadequate to keep significant materials out of the storm water. Structural controls shall be used to treat, divert, recycle, reuse or otherwise manage storm water in a manner that reduces the level of significant materials in the storm water and provides compliance with Michigan's Water Quality Standards as identified under Part I.A.8.i.

PART I**Section A. Limitations and Monitoring Requirements****f. Keeping Plans Current**

- 1) The permittee shall review the plan no later than March 28, 1998 and annually thereafter.

Based on the review, the permittee shall amend the plan as needed to ensure continued compliance with the terms and conditions of this permit. The plan shall also be updated or amended whenever changes at the facility increase or have the potential to increase the exposure of significant materials to storm water, or when the plan is determined by the permittee or the Marquette District Supervisor of the Surface Water Quality Division to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Updates based on increased activity at the facility shall include a description of how the permittee intends to control any new sources of significant materials in accordance with the requirements of Parts I.A.8.c., I.A.8.d., and I.A.8.e.

- 2) The Marquette District Supervisor or authorized representative may notify the permittee at any time that the plan does not meet minimum requirements. Such notification shall identify why the plan does not meet minimum requirements. The permittee shall make the required changes to the plan within 30 days after such notification from the Marquette District Supervisor or authorized representative, and shall submit to the Marquette District Supervisor a written certification that the requested changes have been made.

g. Signature and Plan Review

- 1) The plan shall be signed by the storm water certified operator and by either the permittee or an authorized representative in accordance with Part I.A.8.i. The plan shall be retained on site of the facility which generates the storm water discharge.

- 2) The permittee shall make plans, reports, log books, runoff quality data, and supporting documents available upon request to the Marquette District Supervisor of the Surface Water Quality Division or authorized representative.

h. Record Keeping

The permittee shall maintain records of all inspection and maintenance activities. Records shall also be kept describing incidents such as spills or other discharges that can affect the quality of storm water runoff. All such records shall be retained for three (3) years.

i. Water Quality Standards

At the time of discharge, there shall be no violation of the Michigan Water Quality Standards (Rules 323.1041 through 323.1117 of the Michigan Administrative Code) in the receiving waters as a result of the storm water discharge. This requirement includes, but is not limited to, the following conditions:

- 1) In accordance with Rule 50 (Rule 323.1050 of the Michigan Administrative Code), the receiving waters shall not have any of the following unnatural physical properties in quantities which are or may become injurious to any designated use: unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge.

- 2) Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits) shall be reported immediately to the Marquette District Supervisor of the Surface Water Quality Division followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

j. Requirements for Storm Water Discharges through Municipal Separate Storm Sewer Systems Serving a Population of 100,000 or More.

On the effective date of this permit, the cities of Ann Arbor, Flint, Grand Rapids, Warren and Sterling Heights have been identified as having separate storm sewer systems serving a population of 100,000 or more.

PART I

Section A. Limitations and Monitoring Requirements

A storm water permit applicant or permittee who discharges storm water associated with industrial activity through a municipal separate storm sewer system serving a population of 100,000 or more shall do the following:

- 1) Submit a copy of the application to the operator of the municipal system.
 - 2) Comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the discharger has been notified of such conditions.
 - 3) Make the plan available to the operator of the municipal system upon request.
- k. Significant Materials includes but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see 40 CFR 372.65); any chemical the facility is required to report pursuant to section 313 of Emergency Planning and Community Right-to-Know Act (EPCRA); salt and any material on the Critical Materials Register pursuant to Section 3111 of the Michigan Act; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
- l. Signatory Requirements
All applications, reports or information submitted to the Department shall be signed and certified in accordance with 40 CFR 122.22.
- m. Prohibition of Non-storm Water Discharges
Discharges of material other than storm water shall be in compliance with an NPDES permit issued for the discharge. Storm water shall be defined to include the following non-storm water discharges provided pollution prevention controls for the non-storm water component are identified in the plan: discharges from fire hydrant flushing, potable water sources including water line flushing, irrigation drainage, lawn watering, routine building wash down which does not use detergents or other compounds, pavement wash water where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material have been removed) and where detergents are not used, air conditioning condensate, springs, uncontaminated groundwater, and foundation or footing drains where flows are not contaminated with process materials such as solvents. Discharges from fire fighting activities are authorized by this permit, but do not have to be identified in the plan.

PART II

Section A. Definitions

This list of definitions may include terms not applicable to this permit.

Acute toxic unit is 100 divided by the LC50 or 100 divided by the EC50 (with the LC50 or EC50 expressed as a percentage).

Chronic toxic unit is 100 divided by the MATC (with the MATC expressed as a percentage).

Daily maximum concentration is the sum of the concentrations of the individual samples of a parameter divided by the number of samples taken during any calendar day. If the parameter concentration in any sample is less than the detection limit, regard that value as zero when calculating the daily maximum concentration.

Daily maximum load is the total discharge by weight of a parameter discharged during any calendar day.

Daily minimum concentration is the minimum concentration of a parameter in any individual sample taken during any calendar day.

District Supervisor of the Surface Water Quality Division is located at the Marquette District Office, 1990 U.S. 41 South, Marquette, Michigan 49855, telephone: 906-228-6561 (fax: 906-228-5245).

District Supervisor of the Waste Management Division is located at the Marquette District Office, 1990 U.S. 41 South, Marquette, Michigan 49855, telephone: 906-228-6561 (fax: 906-228-5245).

Division of Drinking Water and Radiological Protection, Michigan Department of Environmental Quality mailing address is P.O. Box 30630, Lansing, Michigan 48909-8130.

Division of Health Facility Development, Michigan Department of Commerce mailing address is P.O. Box 30195, Lansing, Michigan 48909.

EC50 (median effect concentration) is the concentration of the effluent predicted by the acute toxicity test results to produce an adverse effect in 50% of the test organism population in a given time interval.

Fecal coliform bacteria monthly (30-day) average is the geometric mean of the samples collected in a calendar month.

Fecal coliform bacteria 7-day average is the geometric mean of the samples collected in any 7-day period.

Flow Proportioned sample is a composite sample with the sample volume proportional to the effluent flow.

Grab sample is a single sample taken at neither a set time nor flow.

Interference is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference.]

LC50 (median lethal concentration) is the concentration of the effluent predicted by the acute toxicity test results to kill 50% of the test organism population in a given time interval.

PART II

Section A. Definitions

MATC is the maximum acceptable toxicant concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic toxicity test.

Monthly (30-day) average concentration is the sum of the concentrations of the individual samples divided by the number of samples taken during a reporting month. If the parameter concentration in any sample is less than the detection limit, regard that value as zero when calculating monthly average concentration.

Monthly (30-day) average load is the sum of the daily maximum loads of a parameter divided by the number of daily maximum loads in the reporting month. If the parameter concentration in any sample is less than the detection limit, regard that value as zero when calculating monthly average concentration.

National Pretreatment Standards are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Federal Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

Noncontact Cooling Water is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

Nondomestic user is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

Pretreatment is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

POTW is a publicly owned treatment works.

Regional Administrator is the Region V Administrator, U.S. EPA, located at R-16J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

7-day average concentration is the sum of the concentrations of the individual samples divided by the number of samples taken during any 7 consecutive days in a calendar month. If the parameter concentration in any sample is less than the detection limit, regard that value as zero when calculating the 7-day average concentration.

7-day average load is the sum of the weights of parameters discharged divided by the number of samples taken during any 7 consecutive days in a calendar month. If the parameter concentration in any sample is less than the detection limit, regard that value as zero when calculating the 7-day average load.

Significant industrial user is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

3-Portion Composite sample is a sample consisting of three equal volume grab samples collected at equal intervals over an 8-hour period.

24-Hour Composite sample is a flow proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period.

PART II

Section B. Monitoring Procedures

1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Federal Act (40 CFR Part 136 - Guidelines Establishing Test Procedures for the Analysis of Pollutants). For parameters not specified in the permit or covered by the regulations, test procedures shall be submitted for approval to the Marquette District Supervisor of the Surface Water Quality Division.

The permittee shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure accuracy of measurements. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Control/Quality Assurance program.

3. Instrumentation

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure accuracy of measurements.

4. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Michigan Department of Environmental Quality.

PART II

Section C. Reporting Requirements

1. Start-up Notification

If the permittee will not discharge during the first 60 days following the effective date of this permit, the permittee shall notify the Marquette District Supervisor of the Surface Water Quality Division within 14 days, and then 60 days prior to the commencement of the discharge.

2. DMR Submittal Requirements

Unless instructed on the effluent limits page to conduct retained self-monitoring, the permittee shall submit Discharge Monitoring Report (DMR) forms to the PCS Unit, Surface Water Quality Division, Michigan Department of Environmental Quality, P.O. Box 30273, Lansing, Michigan, 48909-7773, for each calendar month of the authorized discharge period(s). The DMRs shall be postmarked no later than the 10th day of the month following each month of the authorized discharge period(s).

3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page to conduct retained self-monitoring, the permittee shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Surface Water Quality Division, Michigan Department of Environmental Quality (in the case of mobile home parks, campgrounds, marinas and schools, to the staff of the Drinking Water and Radiological Protection Division -- Environmental Health, Michigan Department of Environmental Quality, or, in the case of hospitals, nursing homes and extended care facilities, to the staff of the Division of Health Facility Services -- Health Facility Evaluation Section, Michigan Department of Consumer and Industry Services). Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The permittee shall certify, in writing, to the Marquette District Supervisor of the Surface Water Quality Division, on or before January 10th of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this permit is based still accurately describes the discharge.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

Monitoring required pursuant to Part 41 of the Michigan Act or Rule 35 of the Mobile Home Park Commission Act (Act 96 of the Public Acts of 1987) for assurance of proper facility operation shall be submitted as required by the Department.

5. Compliance Dates Notification

Within 14 days of every compliance date specified in this permit, the permittee shall submit a written notification to the Marquette District Supervisor of the Surface Water Quality Division indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the permittee accomplishes this, a separate written notification is not required.

PART II

Section C. Reporting Requirements

6. Noncompliance Notification

Compliance with all requirements set forth in the Federal Act, Parts 31 and 41 of the Michigan Act, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

- a. 24-hour reporting - Any noncompliance which may endanger health or the environment (including daily maximum discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five (5) days.
- b. other reporting - The permittee shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the permittee becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

7. Spill Notification

The permittee shall immediately report any spill or loss of any product, by-product, intermediate product, oils, solvents, waste material, or any other polluting substance which occurs to the surface waters or groundwaters of the state by calling the Department of Environmental Quality's 24-hour Emergency Response telephone number, 1-800-292-4706 (calls from out-of-state dial 1-517-373-8166); and within ten (10) days of the spill or loss, the permittee shall submit to the Marquette District Supervisor of the Surface Water Quality Division a full written explanation as to the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken, and schedule of implementation.

8. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee who wishes to establish the affirmative defense of upset, shall notify the Marquette District Supervisor of the Surface Water Quality Division by telephone within 24-hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

- a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. that the permitted wastewater treatment facility was, at the time, being properly operated; and
- c. that the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

In any enforcement proceedings, the permittee, seeking to establish the occurrence of an upset, has the burden of proof.

PART II**Section C. Reporting Requirements****9. Bypass Prohibition and Notification**

- a. Bypass Prohibition - Bypass is prohibited unless:
- 1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - 2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and
 - (3) the permittee submitted notices as required under 9.b. or 9.c. below.
- b. Notice of Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Marquette District Supervisor of the Surface Water Quality Division, if possible at least ten days before the date of the bypass, and provide information about the anticipated bypass as required by the Marquette District Supervisor. The Marquette District Supervisor may approve an anticipated bypass, after considering its adverse effects, if it will meet the three conditions listed in 9.a. above.
- c. Notice of Unanticipated Bypass - The permittee shall submit notice to the Marquette District Supervisor of the Surface Water Quality Division of an unanticipated bypass by telephone at 906-228-6561 (if the notice is provided after regular working hours, use the following number: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances.
- d. Written Report of Bypass - A written submission shall be provided within five (5) working days of commencing any bypass to the Marquette District Supervisor of the Surface Water Quality Division, and at additional times as directed by the Marquette District Supervisor. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Marquette District Supervisor.
- e. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.C.10. of this permit.
- f. Definitions
- (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

PART II**Section C. Reporting Requirements****10. Changes in Discharge**

The permittee shall notify the Marquette District Supervisor of the Surface Water Quality Division, in writing, within 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register or priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information (The detectable level shall be defined as the Method Detection Limit (MDL) as given in Appendix B to Part 136, Federal Register, Vol. 49, No. 209, October 26, 1984, pp. 43430-31.); or 3) any chemical at levels greater than five times the average level reported in the complete application submitted on March 23, 1995. Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

11. Changes in Facility Operations

Any anticipated facility expansion, production increases, or process modification which will result in new, different, or increased discharges of pollutants must be reported by submission of a new application to the Marquette District Supervisor of the Surface Water Quality Division or, by notice to the Marquette District Supervisor if the following conditions are met: 1) the changes will not result in the discharge of wastewater not currently authorized or at volumes greater than currently authorized by this permit; 2) the changes will not violate the effluent limitations specified in this permit; and 3) the changes will not require notification pursuant to Part II.C.10. Following such notice, the permit may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

12. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Marquette District Supervisor of the Surface Water Quality Division 30 days prior to the actual transfer of ownership or control.

PART II

Section D. Management Responsibilities

1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit constitutes a violation of the Michigan Act and/or the Federal Act and constitutes grounds for enforcement action: for permit termination, revocation and reissuance, or modification; or denial of an application for permit renewal.

2. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Michigan Department of Environmental Quality, as required by Sections 3110 and 4104 of the Michigan Act.

3. Facilities Operation

The permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

4. Power Failures

In order to maintain compliance with the effluent limitations of this permit and prevent unauthorized discharges, the permittee shall either:

- a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
- b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

5. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

6. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of concentrated solutions, acids, alkalies, salts, oils, or other polluting materials in accordance with the requirements of the Part 5 Rules (Rules 323.1151 through 323.1169 of the Michigan Administrative Code). For a POTW, these facilities shall be approved under Part 41 of the Michigan Act.

PART II**Section D. Management Responsibilities****7. Waste Treatment Residues**

Solids, sludges, biosolids, filter backwash, scrubber water or other pollutants resulting from treatment or control of wastewaters shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

8. Right of Entry

The permittee shall allow the Michigan Department of Environmental Quality, any agent appointed by the Department or the Regional Administrator, upon the presentation of credentials:

- a. to enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this permit; and to sample any discharge of pollutants.

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Act and Rule 2128 (Rule 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Federal Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Act and Sections 3112, 3115, 4106 and 4110 of the Michigan Act.

PART II**Section E. Activities Not Authorized by This Permit****1. Discharge to the Groundwaters**

This permit does not authorize any discharge to the groundwaters. Such discharge must be authorized by a groundwater discharge permit issued pursuant to the Michigan Act.

2. Facility Construction

This permit does not authorize or approve the construction or modification of any physical structures or facilities. Approval for such construction for a POTW must be by permit issued under Part 41 of the Michigan Act. Approval for such construction for a mobile home park, campground or marina shall be from the Drinking Water and Radiological Protection Division -- Environmental Health, Michigan Department of Environmental Quality. Approval for such construction for a hospital, nursing home or extended care facility shall be from the Division of Health Facility Services -- Health Facility Evaluation Section, Michigan Department of Consumer and Industry Services upon request.

3. Civil and Criminal Liability

Except as provided in permit conditions on "Bypass" (Part II.C.9. pursuant to 40 CFR 122.41(m)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as accidents, equipment breakdowns, or labor disputes.

4. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under Section 311 of the Federal Act except as are exempted by federal regulations.

5. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Federal Act.

6. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits or approvals from other units of government as may be required by law.

16-
PERM
(1997)**MANISTIQUE PAPERS, INC.**

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

May 28, 1997

Steve Casey, P.E.
Surface Water Quality Division
Michigan Department of Environmental Quality
1990 U. S. Highway 41 South
Marquette MI. 49855-9133

RE: NPDES Permit No. MI0003166
PERM Update

Dear Steve;

Please find enclosed our Program for Effective Residuals Management.
This document is submitted in accordance with the requirements of our NPDES
permit.

Please contact me if you have questions or require additional information.

Sincerely

Manistique Paper's Inc.

James Cook

Enclosure

copy: Leif Christensen
Jason Panek
Dennis Bittner
Steve Nadeau

BITTNER ENGINEERING, INC.**DENNIS B. BITTNER, P.E.****MANISTIQUE PAPERS, INC.****James Cook**

Waste Treatment Supervisor

Direct Dial: 906-341-4229
Phone: 906-341-2175
Fax: 906-341-5635

453 South Mackinac Avenue
Manistique, Michigan 49854

Subsidiary of Kruger Inc.

PL P.03

UPDATED PROGRAM FOR EFFECTIVE RESIDUALS MANAGEMENT

(PERM)

May 1997 Update

MANISTIQUE PAPERS, INC.

UPDATED PROGRAM FOR EFFECTIVE RESIDUALS MANAGEMENT (PERM)

May 1997

INTRODUCTION

Manistique Papers operates a paper mill in the City of Manistique. The mill produces a variety of specialty paper products using 100% recycled paper as stock. The mill operates a primary and secondary wastewater treatment facility which treats all process wastewater produced within the mill.

The RMA has been authorized to accept the mill's residuals pursuant to its historical and current National Pollutant Discharge Elimination System (NPDES)(permit number MI0003166) permit. Residuals from the wastewater treatment facility are dewatered prior to placement in the company's owned and operated residuals management area (RMA). Placement of the residuals in the RMA began in 1973 near the south boundary of the RMA and progressed to the north.

DESCRIPTION OF RMA

The 230 acre RMA is located about one (1) mile north of the City of Manistique in the E 1/2 of the SW 1/4 of Sec. 36, T42N, R16W, Hiawatha Township, Schoolcraft County. In addition the RMA is located about one mile east of M-94, with access provided by the Frankovich Road. Figure 1 is a location map of the RMA. The area is very flat with an elevation change of less than 10 feet over the entire 45 acres that are within the RMA boundary. The ground surface slopes slightly to the north - northeast at between 0.5% and 1.0%. The RMA has been considered suitable for placement of the paper mill's residuals in a Department of Natural Resource's evaluation of the site.

The RMA is situated within a tract of land comprising over 1,000 acres owned by Manistique Papers, Inc. Adjacent landowners are the State of Michigan and private ownership.

SITE MANAGEMENT

The RMA is under the ownership and direct control of Manistique Papers, Inc. Paper mill staff are at the site at all times of regular operation. Truck drivers are responsible for supervising the tipping of individual loads of residuals and the dozer operator visits the site as necessary to inspect the overall operation and to spread, compact and level the residuals. The dozer operator is responsible for inspecting fences and monitoring wells, general site maintenance and the implementation of necessary maintenance and repair.

If a truck driver notices anything unusual at any time during the regular delivery of residuals to the RMA, he/she is required to immediately report the situation to the shift manager on duty and to follow up with a written report and/or a work order to make sure the work is completed, if needed.

OPERATIONS

The facility is operated seven days per week, 24 hours per day, except for brief periods of mill shutdowns, during which residuals are not generated.

Residuals are delivered to the RMA in trucks owned and operated by MPI. The entrance to the RMA is equipped with an electrically operated gate. Each truck has a remote control for the gate and the driver is responsible for opening and closing the gate during each delivery to the area. The driver proceeds to an active filling area that is designated by the dozer operator according to the general site plan. The load is dumped as close as possible to the edge of the active work areas, without endangering the worker and/or equipment. Loads are progressively placed along the active work face. The dozer operator spreads, compacts and shapes the residuals as necessary to achieve the final elevations for the RMA.

As the residuals are spread and compacted, the goal is to maintain slopes that are stable and allow for safe travel of the transport and on site vehicles. The vertical and horizontal extent of placement is periodically measured and documented on an as-built drawing of the areas.

Operation of the RMA requires the following equipment items:

- Track dozer for spreading and compaction of residuals and road maintenance.
- Rubber tire loader for road maintenance, movement of residuals and road construction materials around the site and snow removal.
- Dump truck for hauling of road building materials to stock piles near the operating area and for transporting the dozer to and from the RMA.
- Trailer mounted road sander for ice control on roads within the RMA

Back up and replacement equipment is available at all times from MPI, equipment dealers and from local contractors.

RMA ACCESS AND SECURITY

Access to the RMA is from the Frankovich Road which is located off M-94 about one mile north of Manistique. On-site haul roads are constructed as necessary to provide access to the active work areas. Gravel and rock from off site locations is used to construct these roads which provide site access during all weather conditions.

Since hauling takes place 24 hours a day, permanent lighting is installed to provide safe operating conditions during non-daylight hours. A telephone is also located at the RMA to allow communication with the mill and, if necessary, local law enforcement officials.

Access to the RMA is restricted by fencing and natural barriers consisting of vegetation and ditches. The only access to the RMA is through an electrically operated gate at the south entrance off the Frankovich Road and a manually operated gate along the north side of the RMA. These gates are locked at all times.

REVEGETATION

Areas that have either reached their final elevation or will not receive additional residuals for an extended period are graded smooth and vegetative growth is established either by natural means or through plantings. Studies are periodically conducted and test plots are established to determine the most appropriate means of establishing vegetative cover. MSU Co-operative Extension Service, the USDA and Michigan Technological University have performed these studies and provided recommendations for revegetating the RMA. Approximately 50 percent of the entire RMA surface area has vegetation established.

RMA MAINTENANCE

RMA maintenance activities consist of road maintenance, snow removal, dust control, and fence maintenance. These activities are the responsibility of the dozer operator who can request assistance from the mill on an as needed basis.

NOISE CONTROL

Because of the large amount of adjacent land owned by the mill, the fact that there is only one home within 1/2 mile of site and bulldozing operations are limited to daylight hours, noise is not a problem at the RMA.

DESCRIPTION OF MILL RESIDUALS

All material being placed at the RMA consists of dewatered paper mill residuals from the mill's waste water treatment system. The material is dewatered with filter presses which increase the solids content of the residuals prior to being loaded directly into trucks for hauling to the RMA. There is no provision for storage of dewatered residuals at the mill prior to transport to the RMA. Filtrate from the presses is returned to mill sewers for processing at the wastewater treatment plant. All other materials originating from within the mill requiring disposal are removed from the mill property by commercial haulers for disposal at off-site licensed facilities.

Closed circuit television provides continuous monitoring of residual as they are being loaded into trucks. Each load of residuals is weighed on the mill's scale and the weight is recorded on daily operational reports along with the percentage of dry solids. This information is used to calculate the tons of residuals on both a wet weight and dry weight basis. A comparison of wet weight of residuals to truck volume is performed periodically and used to calculate the loose volume of residuals. The inventory of residuals production and disposal is included in Appendix A.

MONITORING SYSTEM

Waste characterization of residuals is performed at least annually in accordance with the Michigan Act. Part 115, Rule 118. A copy of the most recent waste characterization testing is included in APPENDIX B.

The current monitoring system for the RMA consists of:

- ° Quarterly sampling of monitoring wells.
- ° Quarterly sampling of the Manistique River and Gould's Slough.

Test results from these monitoring programs are provided to the Michigan Department of Environmental Quality, Surface Water Quality Division. Test results from the last four quarterly sampling events are included in Appendix C.

MANISTIQUE PAPER'S INC.														
1996 Residuals handling (Solids)	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average
total loads/month	663	655	782	674	639	661	614	716	626	614	613	564	7821	651.8
Ave loads/day	21	23	25	22	21	22	20	23	21	20	20	18	257	21.4
total wet ton to RMA / month	8879.3	8910.4	10230.9	9192.2	8995.4	9255.1	9566.1	10530.0	9716.2	9310.5	8988.4	8378.9	111953.4	9329.5
Ave wet ton/day	286.4	307.3	330.0	306.4	290.2	308.5	308.6	339.7	323.9	300.3	299.6	270.3	3671.2	305.9
Loose volume (cyd)/day	381.9	409.7	440.0	408.5	386.9	411.3	411.4	452.9	431.8	400.5	399.5	360.4	4894.8	407.9
percent solid	42.1%	41.8%	41.0%	41.1%	42.8%	43.0%	42.2%	41.6%	41.7%	40.5%	41.0%	42.9%	501.7	41.8%
total dry ton to RMA	3738.0	3726.0	4193.2	3780.4	3867.2	3986.1	4060.4	4390.1	4057.2	3896.1	3682.5	3598.4	46975.6	3914.6
Ave dry ton/day	120.6	128.5	135.3	126.0	124.7	132.9	131.0	141.6	135.2	125.7	122.8	116.1	1540.3	128.4



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

May 20, 1994

RECEIVED

MAY 23 1994

Surface Water Quality Div.

Mr. Ronald Raisanen
Environmental Quality Analyst
Surface Water Quality Division
Michigan Department of Natural Resources
1990 U.S. 41 South
Marquette, MI 49855-9131

Dear Ron:


We have performed our annual review of our PERM (Program for Effective Residuals Management) in accordance with our NPDES Permit (MI0003166). There are no changes to our PERM which was most recently reviewed and updated in August, 1993. (copy attached)

In accordance with the "Monitoring System" discussed on page 7 of the PERM, we have collected additional data with regards to the waste characteristics and permeability of our residuals since our last submittal. This data, along with all previous data, is presented in our "Petition To Designate A Solid Waste As An Inert Material" which is currently under review by your department.

Please accept this notification as fulfilling our responsibility to perform an annual review of our PERM.

Sincerely,

MANISTIQUE PAPERS, INC.


James Cook
Waste Treatment Supervisor

JC/mm1

Encl

cc: Dennis Bittner
Leif Christensen
Jason Panek
Claudia Rast
File



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

PROGRAM FOR EFFECTIVE RESIDUALS MANAGEMENT

(PERM)

May 1994

MANISTIQUE PAPERS, INC.

PROGRAM FOR EFFECTIVE RESIDUALS MANAGEMENT (PERM)

May 1994

INTRODUCTION

Manistique Papers operates a paper mill in the City of Manistique. The mill produces a variety of specialty paper products using 100% recycled paper as stock. The mill operates a primary and secondary wastewater treatment facility which treats all process wastewater produced within the mill.

Sludge residuals from the wastewater treatment facility are dewatered and then placed in a company owned and operated residuals management area (RMA). Waste placement began in 1973 near the south boundary of the RMA and progressed to the north, a distance of about 1,600 feet. This area ranged in width from 600 feet to 900 feet wide and covered an area of approximately 30 acres. This initial waste placement averaged approximately 5 feet in depth. The placement of these paper mill residuals was completed in about 1976 and since that time all material has been deposited on top of this initial lift of material. Authorization to use the RMA for this purpose is contained in the company's National Pollutant Discharge Elimination System (NPDES) permit number MI0003166.

DESCRIPTION OF RMA

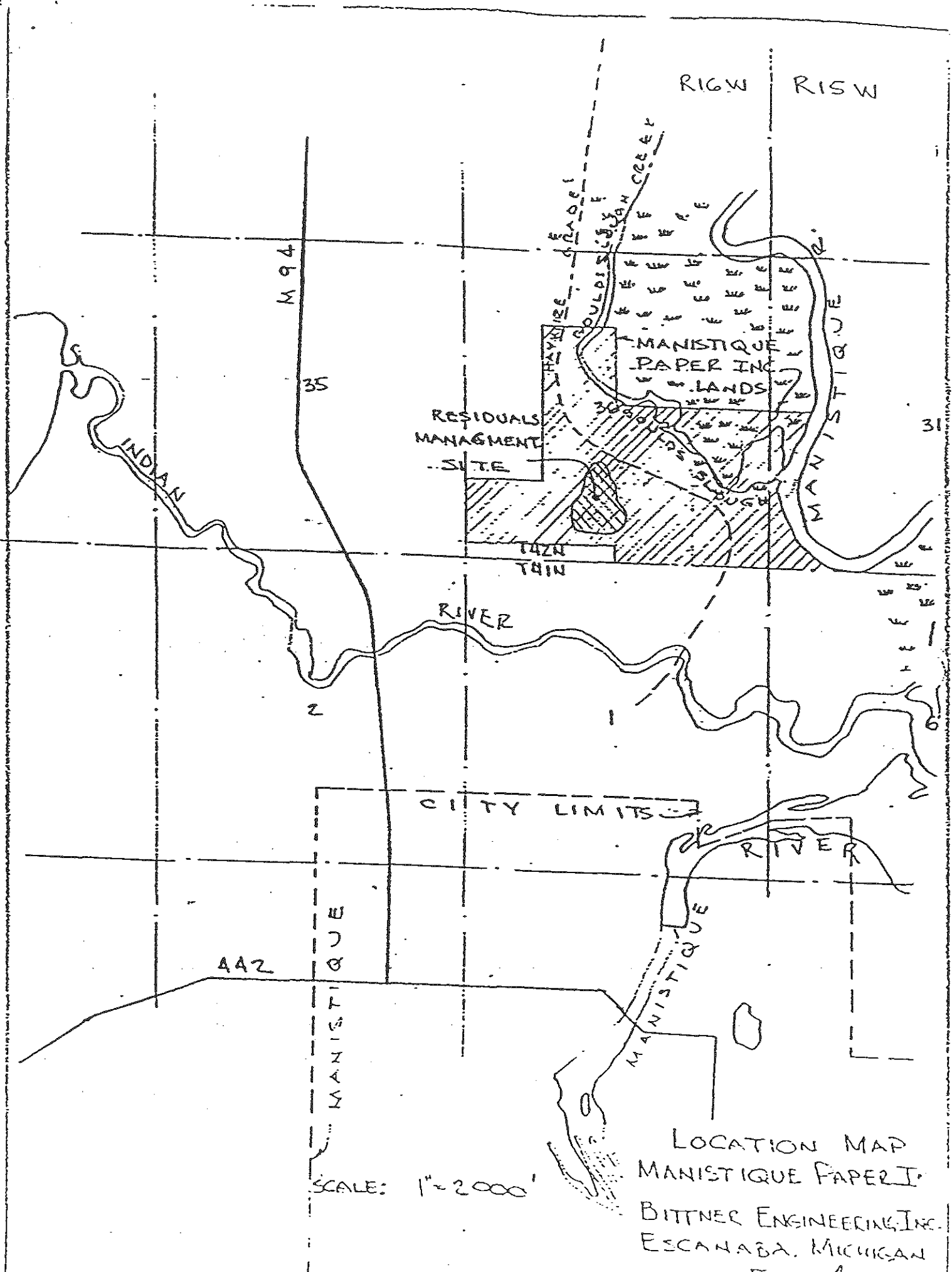
The 230 acre RMA is located about one (1) mile north of the City of Manistique in the E 1/2 of the SW 1/4 of Sec. 36, T42N, R16W, Hiawatha

Township, Schoolcraft County. In addition the RMA is located about one mile east of M-94, with access provided by the Frankovich Road. Figure 1 is a location map of the RMA. The area is very flat with an elevation change of less than 10 feet over the entire 45 acres that are within the RMA boundary. The ground surface slopes slightly to the north - northeast at between 0.5% and 1.0%. The RMA is considered suitable for disposal of the paper mill's residuals and is the acreage specified in the Schoolcraft County Solid Waste Management Plan (June 1993) and in a Department of Natural Resource's evaluation of the site.

The RMA is situated within approximately 480 acres owned by Manistique Papers, Inc. Landowners adjacent to the entire 480 acre parcel are the State of Michigan to the north and northeast, Manistique Area Schools to the southeast and private ownership to the south and west.

Surface drainage across the RMA is to the east and northeast towards Gould's Slough (Creek), a tributary to the Manistique River. Gould's Slough has the physical characteristics of a creek before it converges with the Manistique River. Downstream from the confluence of these streams, and about 1.5 miles east of the site, an extensive marshy area, also known as Gould's Slough, is located along the Manistique River before it converges with the Indian River. These streams flow in a general southerly direction.

Water surface elevations in the saturated zone in the soil layer between the ground surface and the shallow bedrock show that surface water is also moving in a northeasterly direction with venting to Gould's Slough and the



Manistique River. Manistique Papers owns all property between the RMA and the Manistique River, including Gould's Slough.

SITE MANAGEMENT

The RMA is under the ownership and direct control of Manistique Papers, Inc. Paper mill staff is at the site at all times of regular operation. Truck drivers are responsible for supervising the tipping of individual loads of paper mill residuals and the dozer operator will visit the site as necessary to inspect the overall operation and to spread, compact and level the residuals. The dozer operator is responsible for inspecting fences and monitoring wells, general site maintenance and the implementation of necessary maintenance and repair.

If a truck driver notices anything unusual at any time during the regular delivery of a residuals to the RMA, he/she is required to immediately report the situation to the shift manager on duty and to follow up with a work order to make sure the work is completed.

OPERATIONS

The facility is operated seven days per week, 24 hours per day. The only exception to this is during scheduled mill shut downs where residuals may not be generated for a period of time.

Residuals are delivered to the RMA in trucks owned and operated by MPI. The entrance to the RMA is equipped with an electrically operated gate. Each truck has a remote control for the gate and the driver is responsible for opening and closing the gate during each delivery to the area. The driver proceeds to an active filling area that is designated by the dozer operator according to the general site plan. The load is dumped as close as possible to the edge of the active work areas, without endangering the worker and/or equipment. Loads are progressively dumped along the active work face. The dozer operator spreads, compacts and shapes the material as necessary to achieve the final design elevations for the RMA.

As the residuals are spread and compacted, the finished face of the RMA slopes upward in a northerly direction at approximately 15%. The goal is to keep the slope as steep as possible and at the same time, maintain slopes that are stable and will allow for safe travel of the transport and on-site vehicles. The vertical and horizontal extent of filling is periodically measured and documented on an as-built drawing of the areas.

EQUIPMENT

Operation of the RMA requires the following equipment items:

- ° Track dozer for spreading and compaction of residuals and road maintenance.
- ° Rubber tire loader for road maintenance, movement of waste and road

construction materials around the site and snow removal.

- ° Dump truck for hauling of road building materials to stock piles near the operating area and for transporting the dozer to and from the RMA.
- ° Trailer mounted road sander for ice control on roads within the RMA.

Back up and replacement equipment is available at all times from MPI, equipment dealers in Escanaba or Marquette and from local contractors.

SITE ACCESS AND SECURITY

Access to the site is from the Frankovich Road which is located off M-94 about one mile north of Manistique. On-site haul roads are constructed as necessary to provide access to the active tipping areas. Gravel and rock from off site locations is used to construct these roads which provide site access during all weather conditions.

Since hauling takes place 24 hours a day, permanent lighting is installed to provide safe operating conditions during non-daylight hours. A telephone is also located at the RMA to allow communication with the mill and, if necessary local law enforcement officials.

Access to the RMA is restricted by fencing and natural barriers consisting of vegetation and ditches. The only access to the RMA is through an

electrically operated gate at the south entrance off the Frankovich Road. The gate is locked at all times.

REVEGETATION

Areas that have either reached their final plan elevation or will not receive additional residuals for an extended period are graded smooth and vegetative growth is established either by natural means or through plantings. Studies are periodically conducted and test plots are established to determine the most appropriate means of establishing vegetative cover. MSU Co-operative Extension Service, the USDA and Michigan Technological University have performed these studies and provided recommendations for revegetating the RMA. Approximately 50 percent of the entire RMA surface area has vegetation established.

SITE MAINTENANCE

Site maintenance activities consist of road maintenance, snow removal, dust control, fence maintenance and removal of litter. These activities are the responsibility of the dozer operator who can request assistance from the mill on an as needed basis.

NOISE CONTROL

Because of the large amount of adjacent land owned by the mill, the fact that there is only one home within 1/2 mile of site and bulldozing operations are limited to daylight hours, noise is not a problem at the RMA.

DESCRIPTION OF MILL RESIDUALS

All material being placed at the RMA consists of dewatered paper mill residuals from the mill's waste water treatment system. The material is dewatered with two Parkson belt filter presses which increase the solids content of the residuals prior to being loaded into trucks for hauling to the RMA. Filtrate from the presses are returned to mill sewers for processing at the wastewater treatment plant.

All other residual originating from within the mill are removed from the mill property by commercial haulers for disposal at off-site licensed facilities. Closed circuit television provides continuous monitoring of residual as they are being loaded into trucks. Each load of residuals is weighed on the mill's scale and the weight is recorded on daily operational reports.

MONITORING SYSTEM

A monitoring system consisting of three major components has been established for the RMA. This consists of

- ° Quarterly sampling of monitoring wells.
- ° Quarterly sampling of the Manistique River and Gould's Slough.
- ° Periodic waste characterization testing of the residuals.

Test results from these monitoring programs are provided to the Michigan Department of Natural Resources, Surface Water Quality Division.



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

August 13, 1993

Mr. Ronald Raisanen
Environmental Quality Analyst
Surface Water Quality Division
Michigan Department of Natural Resources
1990 U.S. 41 South
Marquette, MI 49855-9131

RECEIVED

AUG 16 1993

Surface Water Quality Div.

RE: Manistique Papers, Inc. NPDES No. MI0003166
Revised PERM

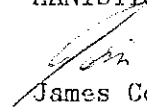
Dear Mr. Raisanen:

In response to your July 15, 1993 letter I am hereby forwarding our updated Program for Effective Residuals Management (PERM) dated August 1993.

If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

MANISTIQUE PAPERS, INC.


James Cook

Waste Treatment Supervisor

JC/mm1

Encl

cc: Dennis Bittner
Leif Christensen
Jason Panek
Claudia Rast



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854

906-341-2175 FAX # 906-341-5635

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AUG 16 1993

Surface Water Quality Div.

PROGRAM FOR EFFECTIVE RESIDUALS MANAGEMENT

(PERM)

AUGUST 1993

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AUG 16 1993

MANISTIQUE PAPERS, INC.

Surface Water Quality Div.

PROGRAM FOR EFFECTIVE RESIDUALS MANAGEMENT (PERM)

AUGUST 1993

INTRODUCTION

Manistique Papers operates a paper mill in the City of Manistique. The mill produces a variety of specialty paper products using 100% recycled paper as stock. The mill operates a primary and secondary wastewater treatment facility which treats all process wastewater produced within the mill.

Sludge residuals from the wastewater treatment facility are dewatered and then placed in a company owned and operated residuals management area (RMA). Waste placement began in 1973 near the south boundary of the RMA and progressed to the north, a distance of about 1,600 feet. This area ranged in width from 600 feet to 900 feet wide and covered an area of approximately 30 acres. This initial waste placement averaged approximately 5 feet in depth. The placement of these paper mill residuals was completed in about 1976 and since that time all material has been deposited on top of this initial lift of material. Authorization to use the RMA for this purpose is contained in the company's National Pollutant Discharge Elimination System (NPDES) permit number MI0003166.

DESCRIPTION OF RMA

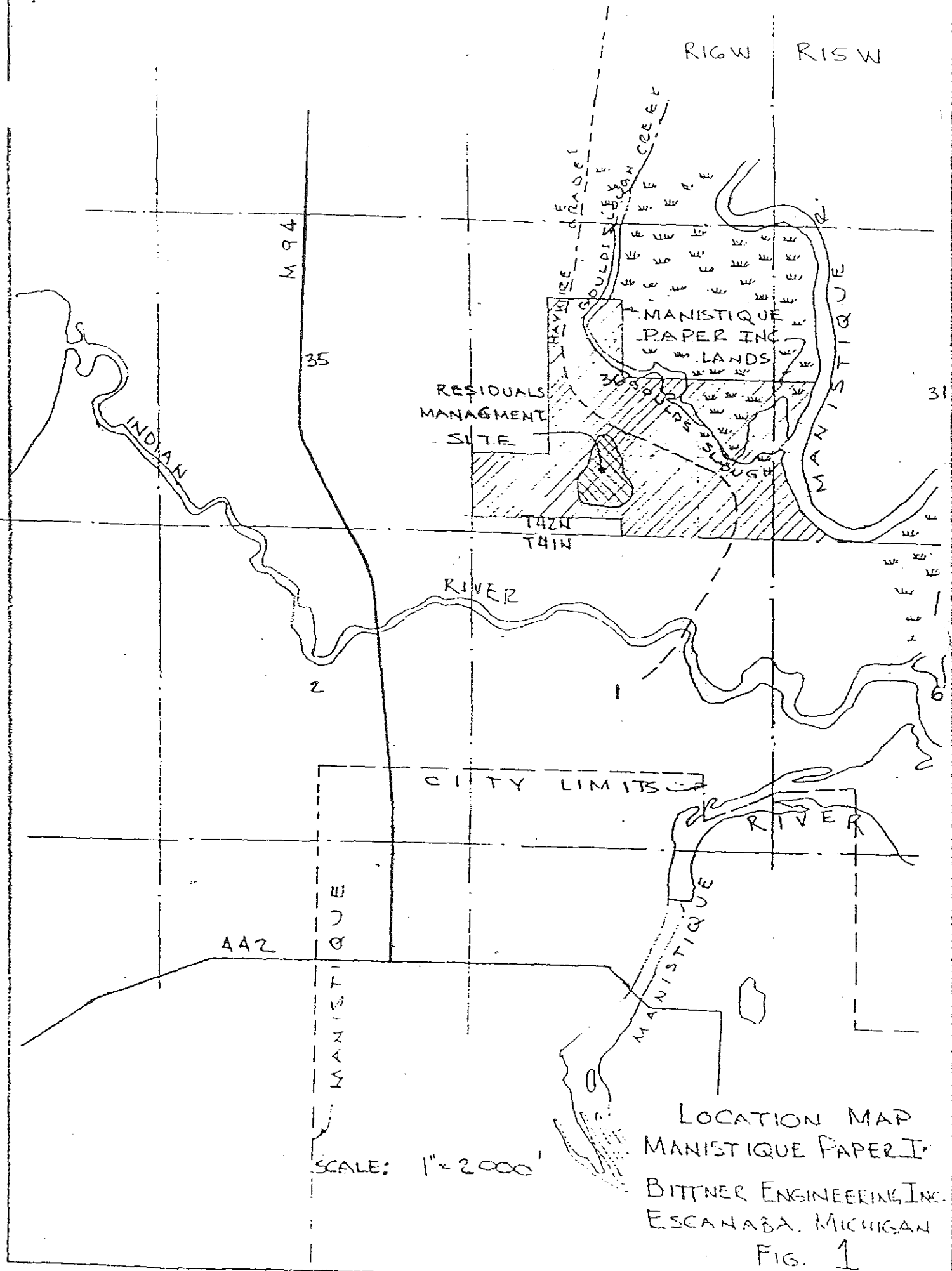
The 230 acre RMA is located about one (1) mile north of the City of Manistique in the E 1/2 of the SW 1/4 of Sec. 36, T42N, R16W, Hiawatha

Township, Schoolcraft County. In addition the RMA is located about one mile east of M-94, with access provided by the Frankovich Road. Figure 1 is a location map of the RMA. The area is very flat with an elevation change of less than 10 feet over the entire 45 acres that are within the RMA boundary. The ground surface slopes slightly to the north - northeast at between 0.5% and 1.0%. The RMA is considered suitable for disposal of the paper mill's residuals and is the acreage specified in the Schoolcraft County Solid Waste Management Plan (June 1993) and in a Department of Natural Resource's evaluation of the site.

The RMA is situated within approximately 480 acres owned by Manistique Papers, Inc. Landowners adjacent to the entire 480 acre parcel are the State of Michigan to the north and northeast, Manistique Area Schools to the southeast and private ownership to the south and west.

Surface drainage across the RMA is to the east and northeast towards Gould's Slough (Creek), a tributary to the Manistique River. Gould's Slough has the physical characteristics of a creek before it converges with the Manistique River. Downstream from the confluence of these streams, and about 1.5 miles east of the site, an extensive marshy area, also known as Gould's Slough, is located along the Manistique River before it converges with the Indian River. These streams flow in a general southerly direction.

Water surface elevations in the saturated zone in the soil layer between the ground surface and the shallow bedrock show that surface water is also moving in a northeasterly direction with venting to Gould's Slough and the



Manistique River. Manistique Papers owns all property between the RMA and the Manistique River, including Gould's Slough.

SITE MANAGEMENT

The RMA is under the ownership and direct control of Manistique Papers, Inc. Paper mill staff is at the site at all times of regular operation. Truck drivers are responsible for supervising the tipping of individual loads of paper mill residuals and the dozer operator will visit the site as necessary to inspect the overall operation and to spread, compact and level the residuals. The dozer operator is responsible for inspecting fences and monitoring wells, general site maintenance and the implementation of necessary maintenance and repair.

If a truck driver notices anything unusual at any time during the regular delivery of a residuals to the RMA, he/she is required to immediately report the situation to the shift manager on duty and to follow up with a work order to make sure the work is completed.

OPERATIONS

The facility is operated seven days per week, 24 hours per day. The only exception to this is during scheduled mill shut downs where residuals may not be generated for a period of time.

Residuals are delivered to the RMA in trucks owned and operated by MPI. The entrance to the RMA is equipped with an electrically operated gate. Each truck has a remote control for the gate and the driver is responsible for opening and closing the gate during each delivery to the area. The driver proceeds to an active filling area that is designated by the dozer operator according to the general site plan. The load is dumped as close as possible to the edge of the active work areas, without endangering the worker and/or equipment. Loads are progressively dumped along the active work face. The dozer operator spreads, compacts and shapes the material as necessary to achieve the final design elevations for the RMA.

As the residuals are spread and compacted, the finished face of the RMA slopes upward in a northerly direction at approximately 15%. The goal is to keep the slope as steep as possible and at the same time, maintain slopes that are stable and will allow for safe travel of the transport and on-site vehicles. The vertical and horizontal extent of filling is periodically measured and documented on an as build drawing of the areas.

EQUIPMENT

Operation of the RMA requires the following equipment items:

- ° Track dozer for spreading and compaction of residuals and road maintenance.
- ° Rubber tire loader for road maintenance, movement of waste and road

construction materials around the site and snow removal.

- ° Dump truck for hauling of road building materials to stock piles near the operating area and for transporting the dozer to and from the RMA.
- ° Trailer mounted road sander for ice control on roads within the RMA.

Back up and replacement equipment is available at all times from MPI, equipment dealers in Escanaba or Marquette and from local contractors.

SITE ACCESS AND SECURITY

Access to the site is from the Frankovich Road which is located off M-94 about one mile north of Manistique. On-site haul roads are constructed as necessary to provide access to the active tipping areas. Gravel and rock from off site locations is used to construct these roads which provide site access during all weather conditions.

Since hauling takes place 24 hours a day, permanent lighting is installed to provide safe operating conditions during non-daylight hours. A telephone is also located at the RMA to allow communication with the mill and, if necessary local law enforcement officials.

Access to the RMA is restricted by fencing and natural barriers consisting of vegetation and ditches. The only access to the RAM is through an

electrically operated gate at the south entrance off the Frankovich Road. The gate is locked at all times.

REVEGETATION

Areas that have either reached their final plan elevation or will not receive additional residuals for an extended period are graded smooth and vegetative growth is established either by natural means or through plantings. Studies are periodically conducted and test plots are established to determine the most appropriate means of establishing vegetative cover. MSU Co-operative Extension Service, the USDA and Michigan Technological University have performed these studies and provided recommendations for revegetating the RMA. Approximately 50 percent of the entire RMA surface area has vegetation established.

SITE MAINTENANCE

Site maintenance activities consist of road maintenance, snow removal, dust control, fence maintenance and removal of litter. These activities are the responsibility of the dozer operator who can request assistance from the mill on an as needed basis.

NOISE CONTROL

Because of the large amount of adjacent land owned by the mill, the fact that there is only one home within 1/2 mile of site and bulldozing operations are limited to daylight hours, noise is not a problem at the RMA.

DESCRIPTION OF MILL RESIDUALS

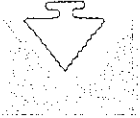
All material being placed at the RMA consists of dewatered paper mill residuals from the mill's waste water treatment system. The material is dewatered with two Parkson belt filter presses which increase the solids content of the residuals prior to being loaded into trucks for hauling to the RMA. Filtrate from the presses are returned to mill sewers for processing at the wastewater treatment plant.

All other residual originating from within the mill are removed from the mill property by commercial haulers for disposal at off-site licensed facilities. Closed circuit television provides continuous monitoring of residual as they are being loaded into trucks. Each load of residuals is weighed on the mill's scale and the weight is recorded on daily operational reports.

MONITORING SYSTEM

A monitoring system consisting of three major components has been established for the RMA. This consists of

- ° Quarterly sampling of monitoring wells.
- ° Quarterly sampling of the Manistique River and Gould's Slough.
- ° Periodic waste characterization testing of the residuals.



MANISTIQUE PAPERS, INC.

453 S. MACKINAC AVE. • MANISTIQUE, MI 49854 • 906-341-2175

RECEIVED JUL 27 1990

July 26, 1990.

Mr. Ron Raisanen
Environmental Quality Analyst
Michigan Department of Natural Resources
1990 U.S. 41 South
Marquette, MI 49855

Dear Ron:

We have reviewed our annual review of our PERM (Program for Effective Residuals Management) in accordance with our NPDES Permit (MI0003166). There are no changes to be made at this time.

Please accept this notification as fulfilling our responsibility to perform an annual review of our PERM.

Sincerely,

MANISTIQUE PAPERS, INC.

James Cook
Waste Treatment Supervisor

JG:mlf

cc: Leif Christensen
Ray Zimmerman
Dennis Bittner
File

BITTNER ENGINEERING, INC.

614 LUDINGTON STREET, ESCANABA, MICHIGAN 49829 • 906-789-1511

RECEIVED JUL 19 1988

July 17, 1989

Mr. Ronald Raisinen
Environmental Quality Analyst
Michigan DNR
1990 U. S. 41 South
Marquette, Michigan 49855

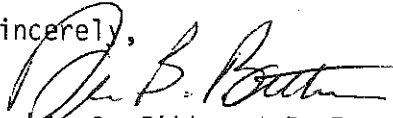
RE: Manistique Papers, Inc.
PERM Update

Dear Ron:

Manistique Papers, Inc.'s NPDES permit requires an annual update of its PERM. I have reviewed current solid waste handling practices at the mill and have determined that current practices substantially conform to the plan that was most recently updated in July 1988. No changes to the mill's PERM are required at this time. Please accept this letter as fulfilling Manistique Paper's Inc's. responsibility for the annual PERM update.

If you have any questions, please call me or Jim Cook.

Sincerely,


Dennis B. Bittner, P. E.
Project Manager

CC: Jim Cook

DBB/sb

DENNIS B. BITTNER, P.E., PRESIDENT

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

INTEROFFICE COMMUNICATION

Marquette, Michigan
February 6, 1989

TO: Dave Dennis, Assist. Deputy Director
FROM: Robert Schmeling II, Regional Supervisor, WMD
SUBJECT: Manistique Papers, Inc.
Schoolcraft County

This is in reference to the sludge disposal site operated by Manistique Papers, Inc., located two and a half miles north of the City of Manistique in Section 36, T42N, R16W.

Based on our September 1, 1988, meeting with Company officials and Department staff, a September 15, 1988 letter was submitted to Mr. Joseph Polito on behalf of the Company. The following outline is an informal response to Mr. Polito's September 15, 1988 letter.

A) Is the disposal site regulated under their NPDES Permit.

Per interoffice memo from Joan Peck, Groundwater Permit Section, following discussions with Dennis Drake, WMD Lansing, it was determined that their NPDES Permit regulates the disposal of the sludges generated by Manistique Papers, Inc.

Therefore, the facility will be controlled under the Company's NPDES Permit. Upon the expiration (1990) of their current NPDES Permit, the facility will have to comply with Act 641, P.A. 1978. This was communicated to Mr. Jack Rydquist, SWQD, per January 6, 1989, memo from Robert Schmeling II, WMD. A follow-up letter from Steve Casey, SWQD, to the Company, indicated that upon expiration of their existing NPDES Permit, the facility would have to comply with the requirements of Act 641.

note
B) Other points:

1. 307 Listing: See attached letter dated October 11, 1988, from Steve Harrington to the Company, addressing this point.

2. Inert classification: In order for the Waste Evaluation Section to complete their evaluation of the waste material, the following additional information needs to be submitted by the Company.

A. A list of ingredients used in the process to produce the sludges and ash or material safety data sheets for the ingredients used.

B. Total metal analyses, PCB, and EP toxic analyses on a representative number of samples. One sample is insufficient unless they can demonstrate the waste stream is homogeneous. Material safety data sheets or other information may be used to demonstrate the waste stream is homogeneous. Material safety data sheets or other information may be used to demonstrate the material does not contain metals, PCB's or other organics (if this is the case) in lieu of the chemical analyses.

C. A list of the test method used and quality assurance and quality control data from the laboratory.

At any rate, it is important to note that each one of these options will require a demonstration that the wastes are non-hazardous. This has not yet been done.

3. Based on our review and conversations with Lansing staff, I do not feel that the existing sludge can be used in computing the required four foot isolation distance for a type III disposal area. The only exception is if the material can be designated as inert.

4. A variance from the requirement of Act 641, P.A. 1978, as amended, per Rule 299.4108(2), a request for a variance for a facility existing before January 11, 1979, shall be in writing and shall accompany the application for an operating license together with the justification for the variance.

Also, per Rule 299.4108(6), the director may wave the specifications of R299.4306, R299.4307 or R299.4310(3) and (4) under exception circumstances considering only the following factors: (a) unique hydrogeological situations, (b) the unusual nature of a specific waste with limited potential for environmental damage. I don't believe such a situation exists at this facility. At least the company has not shown one to exist.

Dave Dennis
Page 3
February 6, 1989

To the best of my knowledge, I am not aware of any variance being granted by the Director for facilities located in Region I. Paper mill wastes generated/disposed of in Region I are landfilled at a minimum type III solid waste disposal sites.

In addition, based on monitoring data submitted by the Company, it appears that that facility is having an impact on the groundwaters, thus the environment.

Per Rule 299.4302, existing facilities, review, (1) Engineering, hydrogeologic evaluations and surface and groundwater monitoring program for existing sanitary landfills ... to assure compliance with these rules as required by Section 14(2) of the Act, ... lead to compliance within a reasonable time period not extending beyond September 1, 1984. Also, per Rule 299.4302(2) if groundwater does exceed the standards as the result of the operation, the applicant shall bear the responsibility for remedial action.

A construction permit would probably not be required, but unless the material is classified as inert and the company can explain why the groundwater being affected by the existing site is not a violation of Act 641, per Rule 299.4306(2), the facility would require an Act 641 license and possible remedial action.

In conclusion, based on the information WMD has received so far, I would recommend that Manistique Papers, Inc., close this existing facility under the requirements of Act 641, and design and build a new disposal and/or use an existing licensed Act 641 facility in the area.

If you have any questions, please see me.

ksf

Attachment

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

INTEROFFICE COMMUNICATION

Marquette, Michigan
January 6, 1989

TO: Jack Rydquist, Supervisor, SWQD

FROM: Robert Schmeling II, Regional Supervisor, WMD
Robert Schmeling II

SUBJECT: Manistique Papers, Inc.,
Disposal Site, Schoolcraft County

Based on the attached memo from Joan Peck, WMD in Lansing, the above referenced site is exempt from regulation under Act 641, P.A. of 1978, and is regulated under their NPDES permit.

As a result of this decision and our discussion, I believe Surface Water Quality Division would be responsible for review and approval of this sludge disposal site. If you have any questions, please see me.

ksf

Attachment

cc: Frank Opolka
David Dennis

November 22, 1988

TO: Rob Schmeling, Supervisor
Marquette District
Waste Management Division

FROM: Joan Peck, Chief
Groundwater Permits Section
Waste Management Division

SUBJECT: Manistique Papers, Inc., Schoolcraft County

The following are my comments on the August 18, 1988 letter regarding Manistique Papers, Inc.:

1. After review of the PERM and following discussions with Dennis Drake, I agree that the PERM approved in 1980 as part of their NPDES permit regulates the disposal of the sludges and, therefore, exempts them from regulation under Act 641. This assumes that they submit annual notification of PERM updates as required in the NPDES permit.

If there is groundwater contamination at the disposal area, action must be taken to remediate the situation regardless of whether they have an approved PERM. Also, this would be justification to revise the PERM and require disposal of the sludges elsewhere if necessary.

I believe there are several options available to Manistique Papers, Inc. for disposal of these sludges. They are as follows:

1. The waste can be disposed at a properly licensed landfill under Act 641 (this assumes they are not hazardous under Act 64).
2. The company can pursue a PERM to have the wastes applied to land at agronomic rates. Additional analyses on total metal and total organic content of the waste would be required. Also, an EP toxic test to determine if the wastes are hazardous would be necessary as well.

Rob Schmeling
Page 2
November 22, 1988

3. The company can pursue a designation of inertness under Act 641.
The additional information needed is:
 - A. A list of ingredients used in the process to produce the sludges and ash or material safety data sheets for the ingredients used.
 - B. Total metal analyses, PCB, and EP toxic analyses on a representative number of samples. One sample is insufficient unless they can demonstrate the waste stream is homogeneous. Material safety data sheets or other information may be used to demonstrate the material does not contain metals, PCB's or other organics (if this is the case) in lieu of the chemical analyses.
 - C. A list of the test methods used and quality assurance and quality control data from the laboratory.

At any rate, it is important to note that each one of these options will require a demonstration that the wastes are non-hazardous. This has not yet been done.

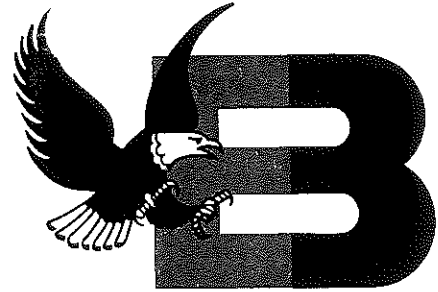
Please contact me if you have any questions.

cc: Frank Opolka, Deputy Director
Jack Rydquist, SWQD
Scott Ross, WMD
Jim Janiczek, WMD
Dale Brockway, WMD

RECEIVED JUL 21 1988

BITTNER ENGINEERING, INC.

614 LUDINGTON STREET, ESCANABA, MICHIGAN 49829 • 906-789-1511



July 20, 1988

Mr. Steve Casey, P. E.
Michigan DNR
1990 U. S. 41 South
Marquette, Michigan 49855

RE: Manistique Paper's
PERM Update

Dear Steve:

In accordance with Manistique Paper's Inc. NPDES permit, we are furnishing this update of the facility's PERM which was originally accepted by your department in 1981.

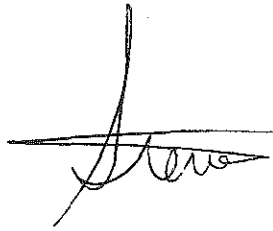
The major activity which has taken place since the last update is the completion of the hydrogeological study at the site, which was originally requested by your division and which was also listed as a condition of the permit. This study was submitted to the Department and is currently under review by the Waste Management Division. The report presents a lot of background information regarding the site and its current operation.

The following comments are directed at updating specific information that was provided in the original PERM but is no longer valid.

1. The Mill discontinued its groundwood operation a few years back so there is no longer any solid waste contribution from barking and other wood handling operations at the Mill.
2. The Mill currently uses belt filters to dewater sludge as opposed to vacuum filters as stated in the PERM.
3. The current daily sludge volume is approximately 350 cubic yards, compared to 240 cubic yards as previously reported.

DENNIS B. BITTNER, P.E., PRESIDENT

TO: Manistique Papers Inc. File
FROM: Steve Casey
DATE: March 31, 1986
SUBJECT: PERM Meeting - March 27, 1986



Attendees: Leif Christensen, Grim Grimnes, Jim Cook and 3 Landfill Operators - Manistique Papers, Inc.; Joe Bal - U.P. Engineers (for Dennis Bittner); Robert Schmeling, Jack Rydquist, Steve Casey - MDNR

The purpose of this meeting was to discuss compliance with the mills' NPDES permit requirement to update their Program for Effective Residuals Management (PERM).

Leif opened the meeting by stating

- (1) The current method of sludge disposal was approved prior to the advent of Act 641.
- (2) The local health department has approved the use of the mills' sludge for landscaping.
- (3) Since the mill uses recycled paper, they are responsible for greatly reducing the volume of solid waste which must be landfilled.
- (4) Repeated MDNR (Surface Water Quality Division) testing has shown the mills' effluent and sludge to be clean.

He then asked what happens after the leachate analysis and hydro-geo are complete.

If these show that there is no groundwater contamination and that the solid waste is "Type III", then the mill should apply for a construction permit-license for a Type III landfill under Act 641. If the current site/operating procedures are acceptable under Act 641, then the licensing of the landfill will begin with the submission of a construction permit application.

Leif informed Joe Bal that U.P. Engineering will be retained to represent the mill in this matter. Joe said that Dennis Bittner will submit a proposed work plan for MDNR approval within 30 days.

Rob Schmeling discussed isolation distance to groundwater requirements. If the solid waste stream qualifies as Type III, and there is no groundwater contamination on site, then the existing site may be used in the future even if the four foot isolation distance was not initially present. Any expansion into new area(s) will have to meet the requirements of isolation under Act 641.

The possibility of PCB contamination was discussed. Some sampling of the existing landfill contents for PCB's will be required. The landfill was started in approximately 1973. The MDNR sampled the mill effluent in 1973